



Council Agenda

Monday, January 10, 2022, 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: 886 4630 6785

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.

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Public Dial-In Details are also posted at www.langford.ca

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Council Minutes

December 6, 2021, 5:30 PM

Electronic Meeting

- | | | |
|------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| PRESENT: | Mayor S. Young
Councillor D. Blackwell
Councillor L. Szpak
Councillor N. Stewart | Councillor M. Sahlstrom
Councillor L. Seaton
Councillor R. Wade |
| ATTENDING: | D. Kiedyk, Chief Administrative Officer
M. Baldwin, Director of Planning and Subdivision
M. Dillabaugh, Director of Finance
A. Proton, Manager of Legislative Services
K. Dube, Manager of Information Technology
M. Watmough, Acting Director of Corporate Services | L. Stohmann, Deputy Director of Planning and Subdivision
L. Fletcher, Manager of Community Safety and Municipal Enforcement-Remote
G. Henshall, Deputy Director of Engineering and Public Works
C. Lowe, IT Support Specialist
Wayne Robinson, Acting Manager of Building Services |

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

1. TERRITORIAL ACKNOWLEDGEMENT

2. CALL TO ORDER

Mayor Young called the meeting to order at 5:32 pm.

3. APPROVAL OF THE AGENDA

MOVED BY: WADE
SECONDED: SEATON

THAT Council approve the agenda with a notice of motion from Councillor Szpak for tree enhancement.

Motion CARRIED.

4. PRESENTATIONS

4.1 BC Transit Update

Council received the BC Transit update from Lisa Mullens, Senior Manager of Government Relations and Levi Timmermans, Director of Infrastructure Management.

5. ADOPTION OF COUNCIL MINUTES

5.1 Regular Council Minutes, November 15, 2021

MOVED BY: WADE
SECONDED: SEATON

That Council approve the minutes of the regular meeting of Council held November 15, 2021.

Motion CARRIED.

5.2 Special Council Minutes, November 17, 2021

MOVED BY: SAHLSTROM
SECONDED: SEATON

That Council approve the minutes of the special meeting of Council held November 17, 2021.

Motion CARRIED.

6. OTHER BOARD AND COMMISSION MINUTES

6.1 West Shore Parks and Recreation Society Board of Directors Meeting - October 14, 2021

MOVED BY: WADE
SECONDED: SEATON

That Council receive the minutes of the West Shore Parks and Recreation Board of Directors Meeting held on October 14, 2021.

Motion CARRIED.

7. COMMITTEE RESOLUTIONS

7.1 Planning, Zoning and Affordable Housing Committee - November 29, 2021

7.1.1 Minutes of the Planning Zoning and Affordable Housing Committee Meeting - November 29, 2021

MOVED BY: BLACKWELL
SECONDED: WADE

THAT Council receive the minutes of the Planning, Zoning and Affordable Housing Committee held on November 29, 2021.

Motion CARRIED.

7.1.2 Application to Rezone 3216 Happy Valley Road from Rural Residential 2 (RR2) Zone to Residential Townhouse 1 (RT1) Zone to Allow for an 18-unit Townhouse Development

MOVED BY: BLACKWELL
SECONDED: WADE

THAT Council:

1. Proceed with consideration of 1st reading of Bylaw No. 2015 as follows:

a) to amend the zoning designation of the property located at 3216 Happy Valley Road from the Rural Residential 2 (RR2) Zone to the Residential Townhouse 1 (RT1) Zone, subject to the following terms and conditions:

1) That the applicant agrees to provide, as a bonus for increased density, the following contributions per new dwelling unit, prior to issuance of a building permit:

a) \$3,660 towards the General Amenity Reserve Fund; and

b) \$610 towards the Affordable Housing Reserve Fund.

2) That the applicant provides, prior to Public Hearing, the following:

a) A technical memo from a qualified engineer that verifies storm water can be adequately managed onsite, to the satisfaction of the Director of Engineering;

3) 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:

a) That all frontage improvements to Bylaw 1000 standards are provided to the satisfaction of the Director of Engineering; and

b) That a storm water management plan be provided and implemented, to the satisfaction of the Director of Engineering; and

c) That the applicant provide a construction management plan to the satisfaction of the Director of Engineering.

b) By including the following amendments to Zoning Bylaw 300:

1) Adding the following text as Section 6.28.03(3):

“(3) Notwithstanding Subsection 6.28.03(1), on land whose legal description is Parcel A (DD 153694I) of Lot 15, Block 2, Section 83, Esquimalt District, Plan 1524 (3216 Happy Valley Road), the maximum floor area ratio may be increased to 1.5 if the owner of the land proposed to be developed:

a) pays to the City the amount specified in Column 4 of Table 1 of Schedule AD, prior to the issuance of a building permit;”

2) By amending the text of Section 6.28.06 to read as follows:

“No building or structure may exceed a height of 3 storeys.”

AND

2. Authorize the Director of Planning to issue the following variance in the Form and Character Development Permit for 3216 Happy Valley:

i. That Section 6.28.07(1)(d) be varied to reduce the minimum rear yard setback from the required 5.5m (18 ft) to 5.0m (16.4 ft).

Motion CARRIED.

7.1.3 Application to Rezone 640 and 644 Granderson Road from the One- and Two-Family Residential (R2) Zone to the City Centre 1 (CC1) Zone to Allow for the Development of a Multi-Family Residential Building

MOVED BY: BLACKWELL

SECONDED: WADE

THAT Council:

1. Proceed with consideration of 1st reading of Bylaw No. 2016 to amend the zoning designation of the properties located at 640 and 644 Granderson Road from the One- and Two-Family Residential (R2) Zone to the City Centre 1 (CC1) 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, 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 development; and

ii. A Traffic Impact Assessment;

c) That the applicant provides, prior to Bylaw Adoption, a Section 219 covenant, registered in priority of all other charges on title, that agrees to the following:

i. That the two subject properties be consolidated prior to issuance of a Development Permit for Form and Character;

ii. That the design of the building includes a reduced height along the eastern property boundary as presented to Council;

iii. That a separate covenant be registered prior to issuance of a building permit for the proposed residential building that ensures parking is allocated to each unit and for visitors as required by the zoning bylaw, and is not provided in exchange for compensation separate from that of a residential unit;

iv. 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;

v. 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

vi. 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, a turnaround, and any recommendations stemming from the Traffic Impact Assessment;
 2. A storm water management plan; and
 3. A construction parking management plan.
- vii. That a covenant is added to advise future owners of their proximity to the E&N Railway which presently is, or in the future may be, an active transportation corridor, and that there will be activities related to the use of those adjacent railway lands that may result in noise, dust, light, traffic and vibration, which may negatively impact the use and enjoyment of the Properties and any buildings located on the Properties.

Motion CARRIED.

7.1.4 719 Station Avenue Rear Lot Line Setback Development Permit Variance

MOVED BY: BLACKWELL

SECONDED: WADE

THAT Council:

1. Direct staff to provide notice that Council will consider issuing a Development Variance Permit with the following variance for 719 Station Ave:
 - a) That section 6.45.07 (3) of Zoning Bylaw No. 300 be varied from 6m to 1.2m.

Motion CARRIED.

7.1.5 Application to Rezone 621 and 629 Rockingham Road from R2 (One- and Two-Family Residential) to RS1 (Residential Small Lot 1) and RM2A (Attached Housing) to allow approximately 19 Single Family Dwellings, and a future townhouse site

MOVED BY: BLACKWELL

SECONDED: WADE

THAT Council:

1. Proceed with consideration of First Reading to and amended version of Bylaw No. 2011 that would amend the zoning designation of a portion of the property located at 621 and 629 Rockingham Road from R2 (One- and Two-Family Residential) to RS1 (Residential Small Lot 1; AND
2. Direct staff to prepare a bylaw to amend the zoning designation of a portion of the property located at 621 and 629 Rockingham Road from R2 (One- and Two-Family Residential) to RM2A (Attached Housing), subject to the following terms and conditions:
 - a. That the owner agrees to provide, as a bonus for increased density, the following contributions per lot/unit, prior to subdivision approval for the single-family lots and prior to Building Permit issuance for the townhouse units:
 - i. \$3,960 towards the General Amenity Reserve Fund for the creation of a single-family lot less than 550 m²;
 - ii. \$660 towards the Affordable Housing Reserve Fund for the creation of a single-family lot less than 550 m²;

- iii. \$3,660 towards the General Amenity Reserve Fund for the creation of a townhouse unit; and
- iv. \$610 towards the Affordable Housing Reserve Fund for the creation of a townhouse unit;
- b. That the applicant provides, prior to Public Hearing, 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 to the following:
 - i. That all frontage improvements to Bylaw 1000 standards are provided to the satisfaction of the Director of Engineering, including the construction of a sidewalk and road edge parking along Rockingham Road, prior to the issuance of a building permit or subdivision approval, whichever comes first;
 - ii. That a Stormwater Management Plan be provided and all required measures recommended be implemented by the owner as a condition of subdivision approval, to the satisfaction of the Director of Engineering;
 - iii. That a Construction Parking Management Plan be provided to the satisfaction of the Director of Engineering prior to any alteration of the land.
- 3. Direct staff to amend Section 6.31A.02(1) within the RM2A (Attached Housing) Zone to change the minimum lot area required for subdivision from 1,800 m² to 1,600 m².
- 4. Direct staff to provide notice that Council will consider issuing a Development Variance Permit with the following variance for the property at 621 and 629 Rockingham Road:
 - a. That Section 6.31A.06(3) be varied to reduce the rear lot line setback from the required 7.5 m to 0.9 m for the existing duplex structure only.

Motion CARRIED.

- 7.1.6 Application to Rezone 1300 Valemount Court from Attached Housing (RM2A) to Business Park – Sooke Road West (BP2A)

MOVED BY: BLACKWELL

SECONDED: WADE

THAT Council:

1. Proceed with consideration of first reading of Bylaw No. 1989 to amend the policy designation within Langford's OCP from Hillside or Shoreline Policy designation to the Business or Light Industrial Policy designation for the property located at 1300, 1289, 1277, 1265 and 1253 Valemount Court.
2. Proceed with consideration of first reading of Bylaw No. 1990 to rezone the property at 1300 Valemount Court from RM2A (Attached Housing) Zone to BP2A (Business Park – Sooke Road West) and rezone 1289, 1277, 1265 and 1253 Valemount Court from Rural Residential (RR5) to Business Park – Sooke Road West (BP2A), subject to the following terms and conditions:
 - i. That the applicant provides, prior to Public Hearing, the following:

- a) A technical memo from an engineer that verifies storm water can be adequately managed on-site for the proposed developments, to the satisfaction of the Director of Engineering;
- b) A Traffic Impact Assessment (TIA) to determine the traffic volume and frequency difference between the current OCP designation (Hillside or Shoreline) to the proposed OCP designation (Business or Light Industrial), to the satisfaction of the Director of Engineering.

ii. That the applicant provides, prior to Bylaw Adoption, a section 219 covenant, registered in priority of all other charges on titles, that agrees to the following:

- a) That the developer will connect and be responsible for any upgrades, connections and installation of services and utilities required to support the proposed development, to the standards of Bylaw No. 1000 and to the satisfaction of the Director of Engineering;
- b) That a formal storm water management plan is submitted and implemented prior to issuance of a building permit or subdivision approval, whichever is first, and implemented, as per Bylaw 1000, all to the satisfaction of the Director of Engineering;
- c) That a construction parking and traffic management plan, prepared to the satisfaction of the Director of Engineering, be provided prior to the issuance of a building permit.

Motion CARRIED.

8. PUBLIC PARTICIPATION

None

9. NOTICES OF INTENT

9.1 DVP21-0014 - 2207 Millstream Road

MOVED BY: BLACKWELL
 SECONDED: SZPAK

That Development Variance Permit No. DVP21-0014 be issued by the Council for the City of Langford to Les Bjola of Turner Lane Development Corporation, on behalf of Langford Heights Development GP Inc. to vary the size of two temporary development signs to be installed at 2207 Millstream Road subject to the following terms and conditions:

1. Appendix

The site shall be developed in accordance with the plan attached (Appendices A and B).

2. Variances

The following regulation of Sign Bylaw No. 1250 is varied under Section 498 of the Local Government Act:

a) That Section 7.e)iii. of Sign Bylaw No. 1250 be varied to increase the area of a temporary development sign from 18m2 to 83.6m2.

3. Conditions

The following requirements are imposed under Section 498 of the Local Government Act:

a) That the sign must reflect only the information and esthetic shown on the plans attached to this report as Appendix A and may only be placed in the locations as shown in Appendix B.

Motion CARRIED.

10. REPORTS

10.1 Municipal Consent for Bylaw No. 4468 – Capital Regional District Climate Action

MOVED BY: BLACKWELL

SECONDED: SEATON

THAT Council

Consent to the Capital Regional District (CRD) adopting Bylaw No. 4468, “Capital Regional District Climate Action and Adaptation Service Establishment Bylaw 2008, Amendment Bylaw No. 2, 2021”.

Motion CARRIED.

10.2 EV Charging in New Developments

MOVED BY: SZPAK

SECONDED: WADE

That Council:

Direct staff to prepare amendments to the Design Guidelines such that:

For all new buildings, electric vehicle parking spaces shall be provided with an energized outlet capable of providing Level 2 charging or higher to the parking space, with the total number dependent on the type of development, location and the agreed upon ratio of EV stations required.

Motion CARRIED.

10.3 Westshore Communities 2021 Poppy Campaign Request for Funding

MOVED BY: SAHLSTROM

SECONDED: WADE

THAT Council authorize a grant of \$6,200 to the Westshore Poppy Fund Committee Society to cover the shortfall from the 2021 Poppy Funding Campaign and that the funding come from Council Contingency.

Motion CARRIED.

11. BYLAWS

11.1 BYLAW NO. 1856 (Background Report Attached)

MOVED BY: BLACKWELL
SECONDED: SEATON

That Council adopt Bylaw No. 1856;

Motion CARRIED.

11.2 BYLAW NO. 1912 (Background Report Attached)

MOVED BY: WADE
SECONDED: BLACKWELL

THAT Council adopt Bylaw No. 1912.

Motion CARRIED.

11.3 BYLAW NO. 1931 (Background Report Attached)

MOVED BY: BLACKWELL
SECONDED: WADE

THAT Council adopt Bylaw No. 1931.

Motion CARRIED.

11.4 BYLAW NO. 1956 (Background Report Attached)

MOVED BY: WADE
SECONDED: BLACKWELL

THAT Council adopt Bylaw No. 1956.

Motion CARRIED.

11.5 BYLAW NO. 1989

MOVED BY: WADE
SECONDED: BLACKWELL

THAT Council give Bylaw No. 1989 first reading.

Motion CARRIED.

11.6 BYLAW NO. 1990

MOVED BY: BLACKWELL

SECONDED: WADE

THAT Council give Bylaw No. 1990 first reading.

Motion CARRIED.

11.7 BYLAW NO. 1992

MOVED BY: BLACKWELL

SECONDED: WADE

THAT Council adopt Bylaw No. 1992.

Motion CARRIED.

11.8 BYLAW NO. 2003 (Background Report Attached)

MOVED BY: WADE

SECONDED: SZPAK

THAT Council give first, second and third reading to Bylaw No. 2003.

Motion CARRIED.

11.9 BYLAW NO. 2015

MOVED BY: BLACKWELL

SECONDED: SZPAK

THAT Council give Bylaw No. 2015 first reading.

Motion CARRIED.

11.10 BYLAW NO. 2016

MOVED BY: BLACKWELL

SECONDED: SZPAK

THAT Council give Bylaw No. 2016 first reading.

Motion CARRIED.

12. IN CAMERA RESOLUTION

MOVED BY: SZPAK

SECONDED: BLACKWELL

THAT Council close the meeting to the public pursuant to section 90 (1) a, k, and m of the *Community Charter* to consider:

- personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality; and
- negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public.
- a matter that, under another enactment, is such that the public may be excluded from the meeting.

Motion CARRIED.

13. RISE AND REPORT

13.1 2022 Acting Mayor Schedule

MOVED BY: SAHLSTROM
SECONDED: BLACKWELL

That Council appoint Roger Wade as Acting Mayor effective January 1, 2022 to December 21, 2022;

Motion CARRIED.

14. ADJOURNMENT

Mayor Young adjourned the meeting at 6:53 pm.

Presiding Council Member

Certified Correct - Corporate Officer

**Minutes of the West Shore Parks & Recreation Society
Board of Directors Meeting
Thursday, November 18th, 2021 in the Seniors Centre – room 101**

PRESENT: Directors Kyara Kahakauwila (chair), Damian Kowalewich, Stewart Parkinson, Leslie Anderson, Roger Wade

ABSENT: N/A

STAFF PRESENT:

Grant Brown, administrator
Wade Davies, manager of operations
April Luchinski, manager of human resources
Geoff Welham, manager of recreation via MS Teams
Katherine Beck, aquatic and fitness coordinator
Raf Olejniczak, acting aquatic coordinator
Hamish Babin, aquatic program assistant
Krista Enderud, fitness programmer
Kaitlyn Waring, rehab and wellness programmer
Teresa Janisch, recorder

STAFF ABSENT: N/A

PUBLIC PRESENT: N/A

CALL TO ORDER

1. The chair called the meeting to order at 5:42PM.

APPROVAL OF AGENDA

2. **MOVED/SECONDED** BY DIRECTORS WADE AND ANDERSON THAT THE AGENDA BE APPROVED AS PRESENTED.
CARRIED

APPROVAL OF MINUTES

3. **MOVED/SECONDED** BY DIRECTORS PARKINSON AND KOWALEWICH THAT THE MINUTES OF THE REGULAR MEETING HELD OCTOBER 14TH, 2021 BE APPROVED AS PRESENTED.
NO ERRORS, NO OMMISIONS
CARRIED

PUBLIC PARTICIPATION

4. N/A

CHAIR'S REMARKS

5. *Kyara Kahakauwila commented on the following:*

- Thank you for the work Ben has done and to all the staff at WSPRS.

STANDING COMMITTEES

6. a) Finance Committee

Stewart Parkinson, finance committee chair commented on the following:

- Recommend we accept the budget and the fees and charges that were presented.

**MOVED/SECONDED BY DIRECTORS KOWALEWICH AND WADE THAT THE DRAFT 2022 WSPRS BUDGET AND THE DRAFT 2022-2023 FEES AND CHARGES BE APPROVED AND PRESENTED TO COUNCIL MEMBERS.
CARRIED**

OLD BUSINESS

7. a) JDF Childcare Centre – art project

Grant Brown, administrator commented on the following:

- We have received the honorarium approval from each municipality and will begin the project in the new year.

Director Parkinson mentioned that there are a lot of art type groups in the Colwood area so if there is any help needed in bringing people in, please let us know.

NEW BUSINESS

8. a) Major tenant advertising negotiations [board representation]

Grant Brown, administrator commented on the following:

- We are preparing to work on the major tenant advertising agreements. I understand Director Wade will stand as a representative from the board in the upcoming negotiations and we would like to have one more board member.
- We are proposing to do something similar to the library funding agreement that is in place. It is based on 50% season length and 50% attendance.

MOVED/SECONDED BY DIRECTORS PARKINSON AND ANDERSON THAT A MOTION BE MADE TO APPOINT DIRECTORS WADE AND KOWALEWICH AS BOARD REPRESENTATIVES FOR THE UPCOMING MAJOR TENANT ADVERTISING NEGOTIATIONS BE APPROVED.

CARRIED

FOR INFORMATION

9. a) **Aquatics and Fitness Report**

The aquatics and fitness team presented a PowerPoint presentation that highlighted the following:

The board thanked Katherine and her team for a great, informative presentation and thanked them for being able to re-open and stay open during this pandemic time. They also understood the challenges the pool is facing in regards to recruiting more staff.

Director Kahakauwila inquired as to whether or not we are offering some of the advanced aquatic courses that were discussed. We do offer some of them, however, we

haven't been able to recruit many from them yet. She also wanted WSPRS staff to know that if they have any 'out of the box' type recruitment ideas to bring them to the administrator to pass along to the board and they would try and help move the process along in any way they could.

Director Kowalewich also made a request to have an update on the LIFE program that WSPRS offers so that we can showcase the society.

b) JDF Arena Improvement Project

Wade Davies, manager of operations highlighted the following:

- We have received the JDF Arena completion paperwork.
- There was a \$45,000 holdback from the project fees as the company needs to come back in the spring (when the ice is out) to complete some work on the boards.
- The new ice pit build will start on December 6th and should be completed by the end of February. This could cause some changes to the existing ice cleans as it may take maintenance an additional 5 minutes to complete them. User groups will be notified prior to this happening.

Director Kahakauwila asked if the events that happened earlier this week (flooding, road closures, etc.) could potentially have any bearing on construction supply issues and/or delays. Wade said it's possible. It isn't a very big build and we will make sure that all the required supplies to start the project are onsite prior to them breaking ground.

c) JDF Childcare Centre Project

Grant Brown, administrator highlighted the following on behalf of Geoff Welham, manager of recreation:

- December 6th is the date for the grand opening of the JDF Arena and Childcare Centre. More information will be forthcoming; however, we do anticipate it being a fairly small event.
- Work is still being done on the elevator upgrades.

d) Administrator's Report

Grant Brown, administrator highlighted the following:

Administration/Human Resources

The Island Health rental of the senior's centre for COVID-19 testing was due to expire at the end of October, enabling the Seniors Association to prepare for their return in January 2022. The two groups met and agreed upon a shared tenancy until December 31st and will be meeting in early December to discuss extending the relationship into early 2022. Island Health will continue to make month rental payments to WSPRS while the testing site is operational, and the Seniors Association will begin forwarding their membership dues in January 2022.

The finance team continues to work with programs in the implementation of the Intelligenz recreation software. Developing new month-end procedures and program reconciliations. Two successful payment runs have been completed with little difficulty for the childcare module. The pace of the implementation continues to pick up as we move closer to the winter registration day of December 9th.

Two key staff will be moving on to new opportunities. Ben Currie, Manager of Finance and Administration, and Kyle Laberge, Sports Programmer. The management position has been posted and the competition closes on November 9th. The opening in the sports department provided the opportunity to evaluate our staffing structure and make changes to existing staff portfolios. The food & beverage supervisor (currently in an acting childcare role) will be moving into the role of events and arena programmer and the afterschool care and youth programmer will be moving into the role of sports and youth programmer. These changes will take place over the next two months as open positions in the childcare department are filled.

Operations

Maintenance

Keeping and holding staff is a challenge. We are seeing less applicants with less ability applying for positions in the last few months within the maintenance department. It has been more difficult to find qualified stationary engineers for plant operation, so we have embraced supporting our existing staff in educating from within. Using our RFABC connections we have managed to expedite the process to meet our needs more efficiently. We have hired a new group of auxiliaries (4) and they have completed their orientation.

Preventative maintenance continues in the form of cleaning compressor windings, adding brine to systems, completion of the library painting, annex roof repairs on the senior's centre completed, centennial centre roof replacement and a new backflow preventer in the fieldhouse is being installed.

Mechanical issues that arose and were managed included the pool office air handling unit compressor repair, the Q Centre arena lobby air handling unit repair, compressor 3 motor for the Q Centre refrigeration plant replacement and library exhaust fan replacement.

Parks

Crews are keeping busy with leaf removal and the wintering of gardens. With all the rain in recent weeks, the grounds are very wet, however, fields remain open and in great shape. Clean up work will begin shortly to ensure the Cenotaph is clean and presentable for Remembrance Day ceremonies.

Programs

Community Recreation

Through a partnership with Physical Literacy for Life and an anonymous funder, the CR team has secured \$21,350 to deliver the "Girls Got Game" multi-sport program, designed for 9-15 year olds identifying as female. In this program, participants will work on fundamental movement skills and physical literacy to gain confidence in exploring different sports. Participants will be exposed to different team and individual sports, which will be led by strong female athletes and coaches from their community. The program will rotate through sports, and trained coaches/athletes will be utilized from sport clubs or existing programs. Additionally, there will be core leaders who are with the girls throughout the program so that they can build trusted relationships. There will be a focus on training the leaders/coaches who will be delivering the sport segments of this program, as well as having the core leaders trained to support the participants throughout the programs. This program will have 4 different

offerings including two 12-week programs in fall and winter and two 1-week long camps in the spring and summer. The goal is to break down barriers and help young people identifying as female to develop confidence and a passion for sport. The outcome is to improve their experience in sport and physical activity programming leading to more sustained participation throughout their lifespan.

The Francophone Society has received funding to provide French programming at WSPRS. Initial conversations have commenced around running French yoga, parent meetup and youth events as well as providing French programming for the childcare programs.

The Westshore Skateboard Coalition was chosen by Hoyne Brewery as their featured charity in October, partial proceeds from the sale of growler fills from the growler station at the brewery will be donated to the skateboard park project. The Westshore Chamber of Commerce continues to support the fundraising efforts for a new skatepark and is helping promote the 100x1000 fundraising campaign for the skatepark in the e-newsletter in November.

Aquatics, Fitness and Weights

The weightroom has seen an increase in usage along with the return of several former patrons that have been away prior to the COVID-19 shutdown. The evening hours on weekends have shown the greatest increase in usage. 90% of programmed registered fitness and wellness programs ran successfully for the month of October with an additional program added due to popular demand. The parent & tot spin express class has been running at full capacity; therefore, an additional class was created to provide another offering. Drop-in fitness classes, specifically indoor cycling classes, have also seen a rise in numbers which is encouraging to see for future planning.

The pool remains busy throughout various public swims, aquafit programs and our Friday night youth swim is gaining popularity. The Canucks Autism Network started their swimming program on Saturdays with positive feedback from their organizers. We're excited to have added more lifesaving and lifeguarding courses. A new Bronze Medallion course has been added to the month of November and a National Lifeguard re-certification course was recently added in December.

Sports

The wet season has caused a slight dip in October golf green fees paid in comparison with 2020. However, year-to-date rounds played and paid are sitting at 8th most ever for the year and close to surpassing that into 7th with over 40,000 rounds for the year.

The indoor sports complex was host to a very successful fall Home Show in October. As well, we are hosting a Mineral and Gem show in November. The JDF Arena opened in September and the user groups are very happy with the quality of the ice and the new amenities and upgrades. The Westshore Wolves have played some of their games in the JDF Arena and are excited to explore options to play there fulltime in the 2022/23 season.

September/October skating lessons had 230 kids registered for this set with 125 registered for Saturday lessons alone. The next lesson set started Wednesday, November 3rd with 309 kids registered and 100 on the waitlist. The arena staff hired 8 new instructors over the past few weeks to be able to accommodate the influx. Hockey has been strong out of the gate with many of the sessions full with a waitlist.

Facility bookings has been busy trying to keep up with their usual requests while learning the new booking system that will be up and running in the next few months.

Kyle Laberge is leaving WSPRS to take a position with Lake Cowichan Recreation. He has been with us for 17 years in various positions. The arena and sport team will have a huge hole to fill, and he will be missed. We wish him luck in his new journey.

Inclusion, Diversity and Equity

WSPRS received the link to the “Diverse Families Through Sports and Physical Activity” presentation that WSPR staff were a part of in September. As well this presentation was featured in the latest “Community Partnership Network” newsletter. <https://myemail.constantcontact.com/Fall-2021--The-latest-CPN-newsletter-for-you-.html?soid=1128914498669&aid=wY7S86woa0A>

Grant Brown, administrator verbally added to the report:

- There has been a flurry of hiring happening. Next week we will be interviewing for the manager of finance and administration position and we just completed interviews for the recreation program assistant today.

There was some group discussion on where positions are being advertised when they're posted. Also discussed was the newly created recruitment committee that April Luchinski has been working with. WSPRS has been quite pro-active with our staffing.

- VIHA has continued their rental of the senior's centre space until the end of December.

MOVED/SECONDED BY DIRECTORS WADE AND PARKINSON THAT THE REPORTS FOR 9.A), 9.B), 9.C), AND 9.D) ARE RECEIVED AS PRESENTED.
CARRIED

IN CAMERA

10. N/A

ADJOURNMENT

11. **MOVED/SECONDED** BY DIRECTORS WADE AND KOWALEWICH THAT THE MEETING BE ADJOURNED AT 6:36PM.
CARRIED



Special Planning, Zoning, and Affordable Housing Committee Minutes

December 13, 2021, 5:30 PM
Electronic Meeting

PRESENT: Councillor D. Blackwell
Councillor R. Wade
C. Brown - Remote
A. Creuzot
D. Horner
K. Sheldrake
A. Ickovich
T. Stevens

ABSENT: J. Raappana

ATTENDING: M. Baldwin, Director of Planning and Subdivision
K. Dube, Manager of Information Technology
T. Cruikshank, Land Development Assistant
G. Henshall, Deputy Director of Engineering and Public Works

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

1. TERRITORIAL ACKNOWLEDGEMENT

2. CALL TO ORDER

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

3. APPROVAL OF THE AGENDA

MOVED BY: WADE

SECONDED: ICKOVICH

That the Committee approve the agenda as presented.

Motion CARRIED.

4. ADOPTION OF THE MINUTES

4.1 Planning, Zoning and Affordable Housing Committee Meeting - November 29, 2021

MOVED BY: WADE
SECONDED: STEVENS

That the Committee approve the minutes of the Planning, Zoning and Affordable Housing Committee held on November 29, 2021.

Motion CARRIED.

5. REPORTS

5.1 Application to Rezone 3420 Luxton Rd, 1120 Finney Rd, and 3219 & 3235 Loledo Pl from RR2 (Rural Residential 2) to RS1 (Residential Small Lot 1) to allow a mix of small lots, large lots with suites, duplexes, and townhomes.

MOVED BY: SHELDRAKE
SECONDED: BROWN

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

1. Direct staff to draft a Bylaw to:
 - a) Amend the zoning of the properties at 3420 Luxton Road, 1120 Finney Road, and 3219 and 3235 Loledo Place from the RR2 (Rural Residential 2) Zone to the RS1 (Residential Small Lot 1) Zone, subject to the following:
2. That the applicant provides, **as a bonus for increased density**, the following contributions per residential unit, prior to issuance of a building permit:
 - a) \$660 towards the Affordable Housing Reserve Fund per half duplex or single-family lot less than 550 m²;
 - b) \$3,960 towards the General Amenity Reserve Fund per half duplex or single-family lot less than 550 m²;
 - c) \$1,000 towards the Affordable Housing Reserve Fund per single family lot 550 m² or greater;
 - d) \$6,000 towards the General Amenity Reserve Fund per single family lot 550 m² or greater
 - e) \$610 towards the Affordable Housing Reserve Fund per townhouse unit; and
 - f) \$3,660 towards the General Amenity Reserve Fund per townhouse unit
3. That prior to Public Hearing, the applicant provides the following, to the satisfaction of the Director of Engineering:
 - a) A technical memo from an engineer that verifies stormwater can be adequately managed on-site for the proposed development;
 - b) A Traffic Impact Assessment; and
 - c) A site plan showing proposed lot layout and access.

4. That prior to Public Hearing, staff receive feedback on the proposal from the Ministry of Transportation;
5. That prior to Bylaw Adoption, the applicant:
 - a) Provides a Section 219 covenant registered in priority of all other charges on title that agrees to the following:
 - 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:
 1. Full frontage improvements including the completion of Finney Road which will require two driving lanes, streetlights, bike lanes, road stormwater control, and a sidewalk.
 2. A storm water management plan;
 3. A construction parking management plan;
 - ii. That road dedication for the extension of Finney Road will be provided, to the satisfaction of the Director of Engineering;
 - iii. That the developer will connect and be responsible for any upgrades required to the services and utilities required for the development;
 - iv. That the site is in proximity to agricultural and business park areas, 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.
 - b) Amend the RS1 (Residential Small Lot 1) Zone to allow two-family dwellings pursuant to the regulations of the R2 (One- and Two-Family Residential) Zone;
 - c) Amend the RS1 (Residential Small Lot 1) Zone to allow townhouses on the subject properties, pursuant to the regulations of the RT1 (Residential Townhouse) Zone.

Motion CARRIED.

5.2 Application for Development Variance Permit to allow for setback variances at 3235 Happy Valley Road

MOVED BY: CREUZOT
 SECONDED: STEVENS

THAT the Planning, Zoning, and Affordable Housing Committee recommend:

1. That Council direct staff to provide notice that Council will consider issuing a Development Variance Permit for the property at 3235 Happy Valley Rd with the following variances:

1. That Section 6.22.07(1)(a) of Zoning Bylaw No. 300 be varied to reduce the front lot line setback requirement from 3m to 1.55 m for the existing structure only on Proposed Lot A, subject to the following condition:
 - a) That the developer agrees to modify the design of the front façade of the existing home to align better with the Design Guidelines for Intensive Residential development on corner properties, to the satisfaction of the Director of Planning;
 - b) That the developer agrees to construct fencing along all property lines in accordance with Section 3.21 of Zoning Bylaw No. 300.
2. That Section 6.22.07(1)(b) of Zoning Bylaw No. 300 be varied to reduce the rear lot line setback requirement from 5.5 m to 3.95 m for the existing structure only on Proposed Lot A;
3. That Section 6.20.06(1)(c) of Zoning Bylaw No. 300 be varied to reduce the exterior side lot line setback requirement from 3.5 m to 1.5 m for Proposed Lot C, subject to the following condition:
 - a) That the developer agrees to construct fencing along all property lines in accordance with Section 3.21 of Zoning Bylaw No. 300.

Motion CARRIED.

5.3 Application to Rezone 982, 984, 986 and 988 Bray Avenue from the One- and Two-Family Residential (R2) Zone to the City Centre 1 (CC1) Zone to Allow for a Four-Storey Residential Building

MOVED BY: ICKOVICH
 SECONDED: CREUZOT

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

1. Proceed with consideration of Bylaw No. 2019 to amend the zoning designation of the property at 982, 984, 986 and 988 Bray Avenue from the One- and Two-Family Residential (R2) zone to the City Centre 1 (CC1) 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.
 - b) 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 development;
 - ii. A site plan showing the entry and exit to the parkade as far east as possible;

- iii. A Traffic Impact Assessment (TIA) from a qualified engineer be provided regarding the proposed development to determine if a left turning lane is required;
- iv. A road cross section be provided to determine possible land dedication;
- c) That **prior to Bylaw Adoption**, the applicant registers a road dedication plan, if required, in accordance with the road cross section drawings provided and 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 all 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 a separate covenant be registered that informs individuals about the potential noise that will be generated from the neighbouring Park at various times;
 - iv. That no occupancy permit be issued for the proposed building unit a strata plan for the building has been registered, to the satisfaction of the Approving Officer;
 - v. 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.
 - vi. That the developer submits the Fire Underwriters Survey (FUS) calculations prior to the issuance of a development permit to develop the property, and acknowledges that these calculations may determine different setbacks than what is prescribed in the zone;

- vii. That the following will be provided to the standards of Bylaw No. 1000 and implemented to the satisfaction of the Director of Engineering, prior to issuance of a building permit:
 - 1. Any upgrades, connections and installation of services and utilities required to support the proposed development;
 - 2. A formal storm water management plan;
 - 3. A construction parking and traffic management plan;
 - 4. Full frontage improvements including but not limited to parking scallops, a bike lane, a 2.2 m separated sidewalk, boulevard landscaping with irrigation and street lighting;
- viii. That the developer submits the Fire Underwriters Survey (FUS) calculations prior to the issuance of a development permit to develop the property, and acknowledges that these calculations may determine different setbacks than what is prescribed in the zone or from what has been granted through variances.

Motion CARRIED.

5.4 Application to Rezone 2772 Vantilburg Crescent from One- and Two-Family Residential (R2) Zone to City Centre 2 (CC2) Zone to Allow for the Development of 20 Townhomes

MOVED BY: WADE
SECONDED: STEVENS

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

- 1. Take no action at this time with respect to Bylaw No. 2012; and
- 2. That the applicant consult with the neighbourhood.

Motion CARRIED.

6. ADJOURNMENT

MOVED BY: WADE
SECONDED: CREUZOT

The Chair adjourned the meeting at 7:00 pm.

Motion CARRIED.

Presiding Council Member

Certified Correct - Corporate Officer



Staff Report to the Planning, Zoning and Affordable Housing Committee

DATE: Monday, December 13, 2021

DEPARTMENT: Planning

APPLICATION NO.: Z21-0037

SUBJECT: Application to Rezone 3420 Luxton Rd, 1120 Finney Rd, and 3219 & 3235 Loledo Pl from RR2 (Rural Residential 2) to RS1 (Residential Small Lot 1) to allow a mix of small lots, large lots with suites, duplexes, and townhomes.

PURPOSE

Sean Lubick has applied on behalf of 1299107BC Ltd., Sheila and Doug Popadynech, and Telluride Holdings Inc. to rezone 3420 Luxton Road, 1120 Finney Road, and 3219 and 3235 Loledo Place from RR2 (Rural Residential 2) to RS1 (Residential Small Lot 1) to allow a mix of small lots, large lots with suites, duplexes (two-family dwellings), and townhomes.

BACKGROUND

PREVIOUS APPLICATIONS

No relevant previous applications.

Table 1: Site Data

<i>Applicant</i>	Sean Lubick
<i>Owners</i>	1299107BC Ltd., Sheila and Doug Popadynech, and Telluride Holdings Inc.
<i>Civic Address</i>	3420 Luxton Road, 1120 Finney Road, and 3219 and 3235 Loledo Place
<i>Legal Description</i>	LOT 1 & 2 SECTION 88 METCHOSIN DISTRICT PLAN VIP76175 (3219 and 3235 Loledo Pl) LOT A SECTION 88 METCHOSIN DISTRICT PLAN EPP43238 (SEE PLAN AS TO LIMITED ACCESS) (3420 Luxton Rd) THE NORTHERLY 300 FEET OF LOT 10, BLOCK B, SECTIONS 88 AND 89, METCHOSIN DISTRICT, PLAN 1139 (1120 Finney Rd)
<i>Size of Property</i>	6.5 acres
<i>DP Areas</i>	Potential Habitat and Biodiversity
<i>Zoning Designation</i>	RR2 (Rural Residential 2)
<i>OCP Designation</i>	Hillside or Shoreline

SITE AND SURROUNDING AREA

The subject properties are located along the east side of Sooke Road, north of Finney Road (Figure 1). 3219 and 3235 Loledo are located at the end of a cul-de-sac, backing onto 3420 Luxton and 1120 Finney. There is an existing single family home on 3219 Loledo, 3235 Loledo is being used for storage, and 3420 Luxton and 1120 Finney are currently vacant.

Figure 1 – Subject Properties

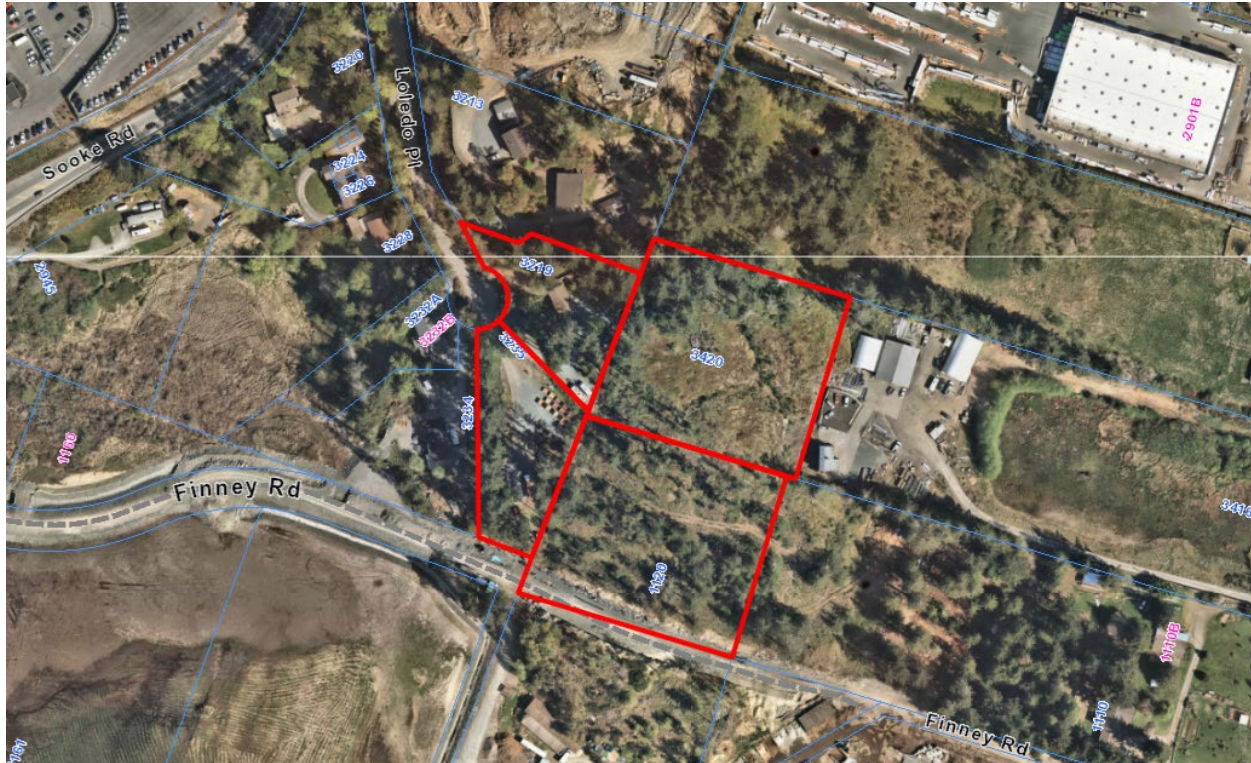


Table 2: Surrounding Land Uses

	Zoning	Use
<i>North</i>	RR2 (Rural Residential) BP2 (Business Park 2 – Sooke Road)	Single Family Dwelling, Business Park, cleared land for development
<i>East</i>	RR2 (Rural Residential 2) AG1 (Agriculture)	Single Family Dwelling and Agriculture
<i>South</i>	AG1 (Agriculture)	Agriculture
<i>West</i>	RR2 (Rural Residential 2)	Single Family Dwellings and Duplexes

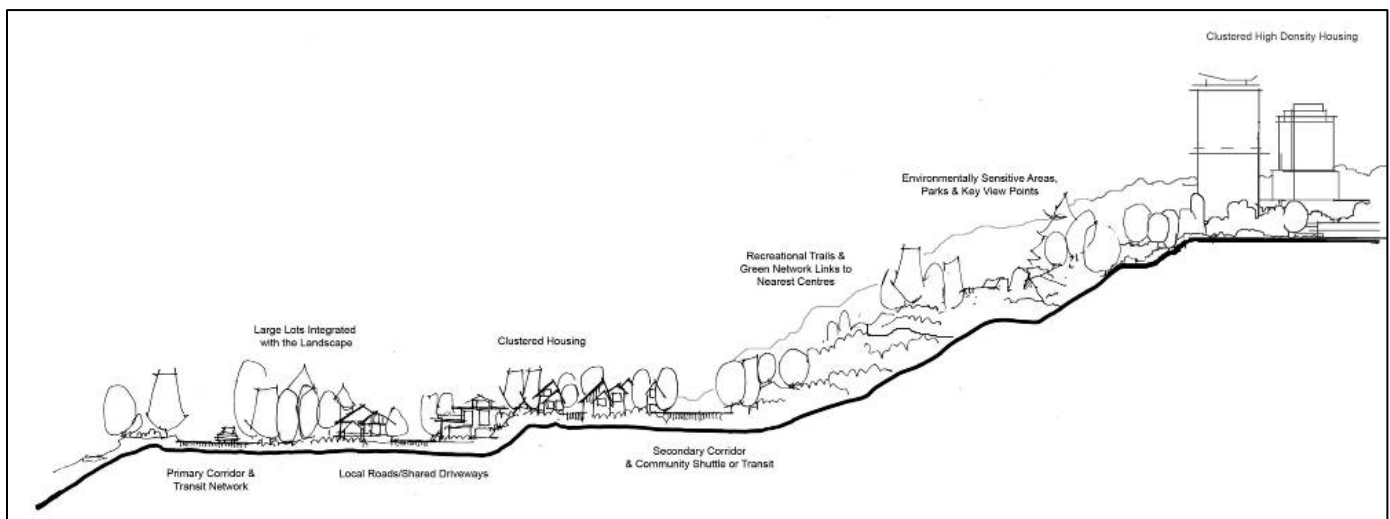
OFFICIAL COMMUNITY PLAN

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

DEVELOPMENT PERMIT AREAS

All four properties are located within the Potential Habitat and Biodiversity Development Permit Area. As such, the applicant will be required to have an Environmental Impact Assessment completed by a registered professional biologist and apply for an environmental development permit prior to any alteration of the land. Additionally, a form and character development permit will be required for the construction of small lots, duplexes (two-family dwellings), and townhouses. Single family lots over 550 m² are exempt from form and character development permits.

COMMENTS

DEVELOPMENT PROPOSAL

The applicant is seeking to rezone 3420 Luxton Road, 1120 Finney Road, and 3219 and 3235 Loledo Place to RS1 (Residential Small Lot 1) to allow a mix of small lots, larger lots with suites, two-family dwellings, and townhouses. While the applicant has not submitted a proposed site plan at this time, they would like the opportunity to create a variety of housing types. Council may wish to require that the developer provide a site plan prior to Public Hearing.

If Council proceeds with this application for rezoning, changes to the RS1 zone would be required. Currently, the RS1 zone allows for single family homes on small lots (without suites) with a minimum lot size of 200 m² and single-family homes with suites on larger lots over 400 m². The current RS1 zone does not allow for two-family dwellings, and only allows townhousing on specific lots. If Council is supportive of allowing the option of two-family dwellings on appropriately dimensioned lots in the RS1 Zone, they may wish to globally change the Zone by adding two-family dwellings to the list of permitted uses and by specifying that they must be developed in accordance with the two-family dwelling requirements of the R2 (One- and Two-Family Residential) Zone. This would require duplexes to have a minimum lot size of 600 m², a minimum lot width of 15 m, and a minimum building envelope of 12 m. Additionally, it would not allow duplexes to be created on panhandle lots and would require duplexes to include basic landscaping requirements.

Furthermore, if Council is supportive of permitting townhouses at this location, they may wish to add townhouses as a permitted use specifically for the subject properties, as has been done for other sites. Similar to the above, the Zone could be amended to require that townhouses are developed in accordance with the RT1 (Residential Townhouse) Zone. The RT1 zone limits the lot coverage of each townhouse lot to 60% and limits the height to 10 m. The setback requirements noted in the RT1 zone are very similar to that of the RS1 zone with the main differences being that the interior side lot line requirement is reduced from 1.5 m to 1.2 m, and the length of a driveway is required to be 5.5 m instead of 6 m. The differences are demonstrated in Table 3 below.

Table 3: Proposal Data

	Permitted by RR2 (Current Zoning)	Proposed Zoning
<i>Minimum Lot Size</i>	40,000 m ² (3219 & 3235 Loledo, 1120 Finney) 3.2 acres (3420 Luxton)	Single Family Small Lot - 200 m ² Single Family w Suite – 400 m ² Duplex – 600 m ² Townhouse – 100 m ²
<i>Height</i>	10.5 m	Single Family – 9 m Duplex – 9 m Townhouse – 10 m
<i>Site Coverage</i>	n/a	Single Family - 50% Duplex – 50% Townhouse – 60%
<i>Front Yard Setback</i>	7.5 m	Single Family – 3 m or 6 m for garage/carport Townhouse & Duplex – 3 m or 5.5 m for garage/carport
<i>Interior Side Yard Setback</i>	3 m	Single Family and Duplex – 1.5 m Townhouse – 1.2 m
<i>Exterior Side Yard Setback</i>	3 m or 5.5 m for any garage or carport	Single Family – 3.5 m or 6 m for garage/carport Townhouse – 3.5 m or 5.5 m for garage/carport Duplex – 3 m or 5.5 m for garage/carport
<i>Rear Yard Setback</i>	10 m	5.5 m (all housing types)

PARKING

Each housing type, whether it be small lot single family, larger lot single family, two-family dwelling, or townhouse, must provide at least 2 parking spaces per unit. Any single family dwelling on a large lot containing a suite must provide an additional parking space on site for use of the suite. Street parking will be created at the rate of one street parking space for every two new lots created by subdivision. In the event of townhouse construction, the developer will be required to provide additional visitor parking and/or street parking in compliance with Part 4 of Zoning Bylaw No. 300.

DEVELOPMENT ACCESS

While no site plan has been provided at this time, the Director of Engineering has suggested that access from Finney Road may be preferable. If access to the site is given via Loledo Place, it is very likely that a variance will be required for the maximum required length of a road without a second way out. As previously noted, Council may wish to require the applicant submit a site plan prior to Public Hearing. The Ministry of Transportation has been notified of this development and will be required to sign off on the bylaw due to the site proximity to a controlled access highway. As such, Council may wish to request that we receive feedback from the Ministry of Transportation prior to Public Hearing.

TRAFFIC

The Director of Engineering has requested that the applicant provide a Traffic Impact Assessment prior to Public Hearing.

INFRASTRUCTURE

Full frontage improvements in accordance with Bylaw No. 1000 and to the satisfaction of the Director of Engineering will be required as a condition of subdivision approval. The Engineering Department has indicated that the developer will be required to complete Finney Road along the subject property's entire Finney Road legal frontage. Additional road dedication for the Finney Road extension will be required. This work constitutes two driving lanes, streetlights, bike lanes, and road stormwater control. Council may also wish to require that the developer construct a sidewalk on the north side of Finney Road to support the residential development.

SEWER

There is currently no sewer main along the frontage of the property. Prior to subdivision approval, the sewer main will be required to be extended and any sewer extensions or modifications within the municipal road allowance will be constructed by West Shore Environmental Services at the applicant's expense.

WATER

There are currently no CRD Water mains along the frontage of the property. Prior to subdivision approval, water mains will be required to be extended and any extensions or modifications within the municipal road allowance will be constructed 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.

POTENTIAL NUISANCES

As has been past practice in Agricultural or Business Park areas, 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 and business park uses are located within close proximity 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

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. 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 unit contribution
<i>General Amenity Reserve Fund</i>	Small lot/ half duplex = \$3,960
	Large lot (over 550 m ²) = \$6,000
	Townhouse = \$3,660
<i>Affordable Housing Reserve Fund</i>	Small lot/ half duplex = \$660
	Large lot (over 550 m ²) = \$1,000
	Townhouse = \$610

Table 5 – Development Cost Charges –

Development Cost Charge	Per unit contribution	Total
<i>Roads</i>	Small lot and duplex = \$3,865	TBD
	Large lot = \$5,876	
	Townhouse = \$3,865	
<i>Storm Drainage</i>	Small lot and duplex = \$1,166	TBD
	Large lot = \$1,878	
	Townhouse = \$1,166	
<i>Park Improvement</i>	Small lot and duplex = \$1,890	TBD
	Large lot = \$1,890	
	Townhouse = \$1,890	
<i>Park Acquisition</i>	Small lot and duplex = \$1,100	TBD
	Large lot = \$1,100	
	Townhouse = \$1,100	
<i>Incremental Storage Improvement Fees</i>	Small lot = \$371.25	TBD
	Duplex = \$742.50	
	Large lot = \$495	

	Townhouse = \$371.35	
<i>Integrated Survey Area</i>	Small lot and duplex = \$35	TBD
	Large lot = \$35	
	Townhouse = \$35 per lot	
Subtotal (DCCs paid to City of Langford)		TBD
<i>CRD Water</i>	TBD – based on overall density	TBD
<i>School Site Acquisition</i>	TBD – based on overall density	TBD
TOTAL (estimate) DCCs		TBD

OPTIONS:

Option 1

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

1. Direct staff to draft a Bylaw to:
 - a) Amend the zoning of the properties at 3420 Luxton Road, 1120 Finney Road, and 3219 and 3235 Loledo Place from the RR2 (Rural Residential 2) Zone to the RS1 (Residential Small Lot 1) Zone, subject to the following:
 - i. That the applicant provides, **as a bonus for increased density**, the following contributions per residential unit, prior to issuance of a building permit:
 - A. \$660 towards the Affordable Housing Reserve Fund per half duplex or single-family lot less than 550 m²;
 - B. \$3,960 towards the General Amenity Reserve Fund per half duplex or single-family lot less than 550 m²;
 - C. \$1,000 towards the Affordable Housing Reserve Fund per single family lot 550 m² or greater;
 - D. \$6,000 towards the General Amenity Reserve Fund per single family lot 550 m² or greater

- E. \$610 towards the Affordable Housing Reserve Fund per townhouse unit; and
- F. \$3,660 towards the General Amenity Reserve Fund per townhouse unit
- ii. That **prior to Public Hearing**, the applicant provides the following, to the satisfaction of the Director of Engineering:
 - A. A technical memo from an engineer that verifies stormwater can be adequately managed on-site for the proposed development;
 - B. A Traffic Impact Assessment; and
 - C. A site plan showing proposed lot layout and access.
- iii. That **prior to Public Hearing**, staff receive feedback on the proposal from the Ministry of Transportation;
- iv. That **prior to Bylaw Adoption**, the applicant:
 - A. Provides a Section 219 covenant registered in priority of all other charges on title that agrees to the following:
 - 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:
 - a. Full frontage improvements including the completion of Finney Road which will require two driving lanes, streetlights, bike lanes, road stormwater control, and a sidewalk.
 - b. A storm water management plan;
 - c. A construction parking management plan;
 - II. That road dedication for the extension of Finney Road will be provided, to the satisfaction of the Director of Engineering;
 - III. That the developer will connect and be responsible for any upgrades required to the services and utilities required for the development;
 - IV. That the site is in proximity to agricultural and business park areas, 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.
- b) Amend the RS1 (Residential Small Lot 1) Zone to allow two-family dwellings pursuant to the regulations of the R2 (One- and Two-Family Residential) Zone;
- c) Amend the RS1 (Residential Small Lot 1) Zone to allow townhouses on the subject properties,

pursuant to the regulations of the RT1 (Residential Townhouse) Zone;

OR Option 2

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

1. Take no action with respect to this application to amend the zoning of the properties at 3420 Luxton Road, 1120 Finney Road, and 3219 and 3235 Loledo Place

SUBMITTED BY: Julia Buckingham, Planner II

Concurrence: Leah Stohmann, MCIP, RPP, Deputy Director of Planning and Subdivision

Concurrence: Matthew Baldwin, MCIP, RPP, Director of Planning and Subdivision

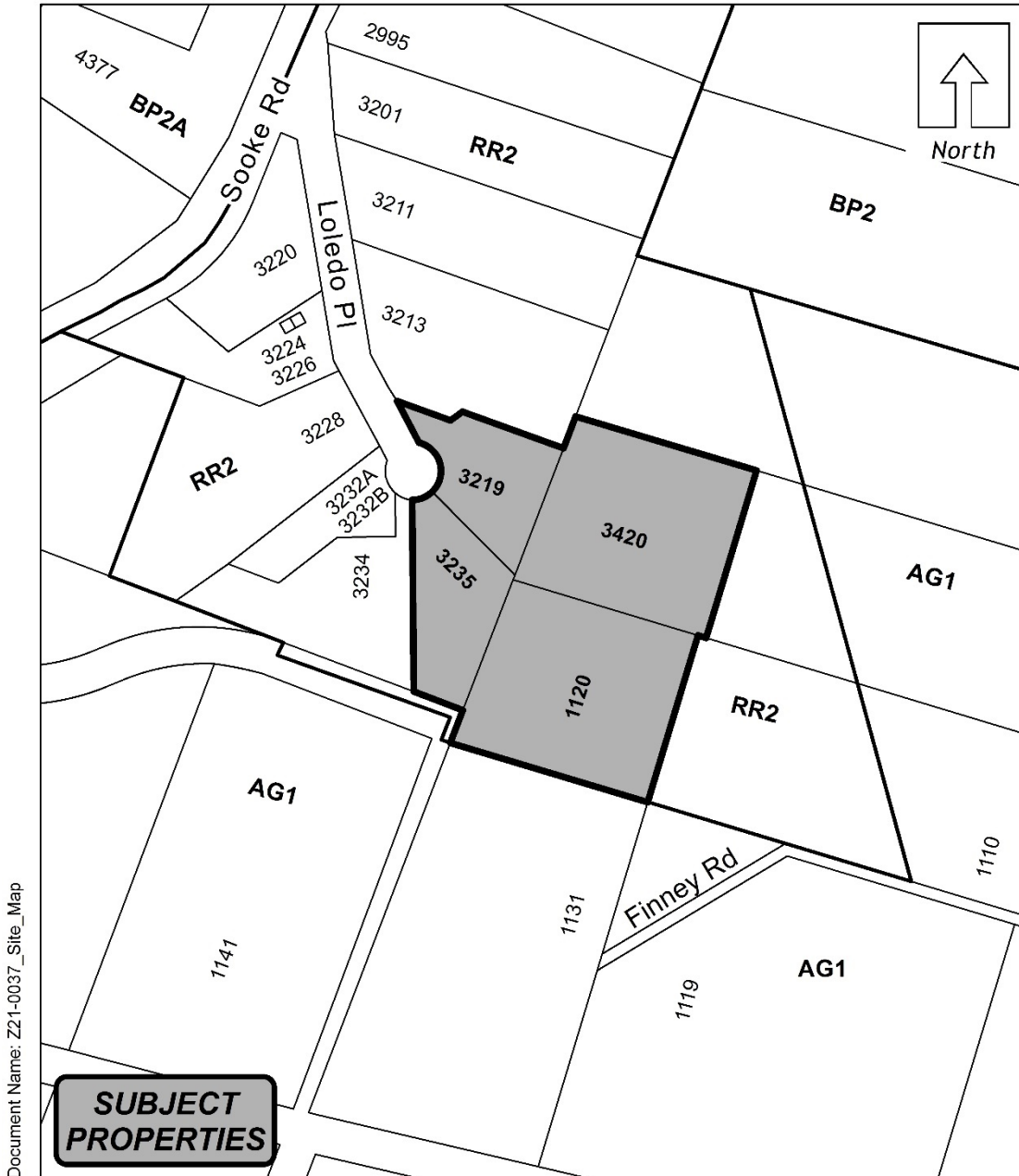
Concurrence: Michelle Mahovlich, P.Eng, P.Geo, Director of Engineering and Public Works

Concurrence: Michael Dillabaugh, CPA, CA, Director of Finance

Concurrence: Marie Watmough, Acting Director of Corporate Services

Concurrence: Darren Kiedyk, Chief Administrative Officer

REZONING BYLAW AMENDMENT
(Z21-0037)
3420 Luxton Rd, 1120 Finney Rd, 3219 & 3235 Loledo Pl



Document Name: Z21-0037_Site_Map

Scale: N.T.S.

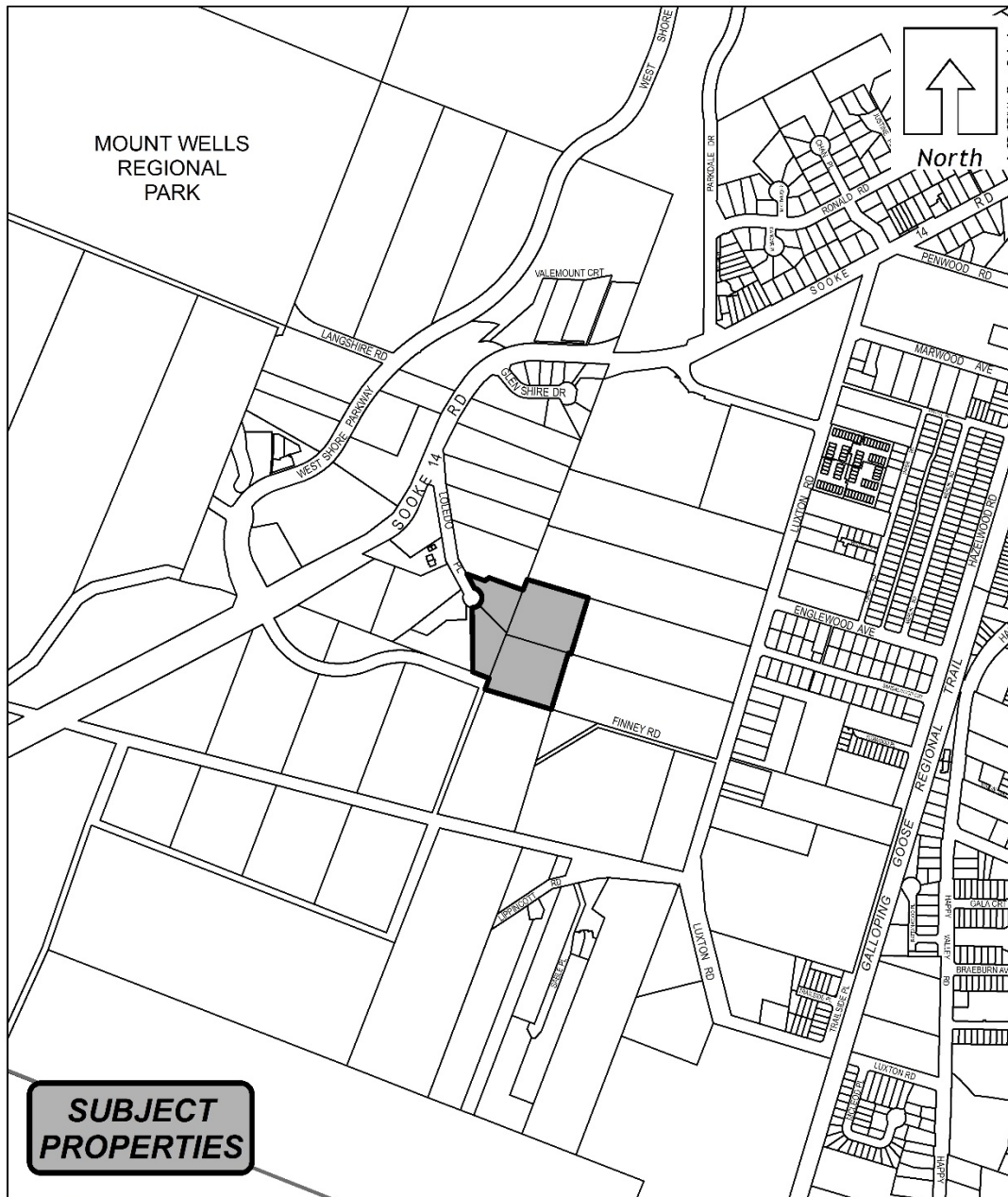
Last Revised: 10/8/2021

Appendix B – Location Map

REZONING BYLAW AMENDMENT

(Z21-0037)

3420 Luxton Rd, 1120 Finney Rd, 3219 & 3235 Loledo Pl



Document Name: Z21-0037_Location_Map

Scale: N.T.S.

Last Revised: 10/12/2021



Staff Report to the Planning, Zoning and Affordable Housing Committee

DATE: Monday, December 13, 2021

DEPARTMENT: Planning

APPLICATION NO.: DVP20-0009

SUBJECT: Application for Development Variance Permit to allow for setback variances at 3235 Happy Valley Road

PURPOSE

Rov Dosanjh has applied on behalf of BC 1123983 for a development variance permit to allow a front, rear, and side setback variance for proposed Lot A (“Lot A”) and proposed Lot C (“Lot C”) at 3235 Happy Valley Road. Specifically, the variances are to reduce the front lot line setback of Lot A from the required 3 m to 1.55 m, to reduce the rear setback of Lot A from the required 5.5 m to 3.95 m, and to reduce the exterior side setback of Lot C from the required 3.5 m to 1.5 m.

BACKGROUND

PREVIOUS APPLICATIONS

Z20-0020 – A portion of this property was recently rezoned from R2 (One- and Two-Family Residential) to RS1 (Residential Small Lot 1) in April of 2021 to allow for a three-lot subdivision. Within this process, variances to the front lot line setback of Lot A and the exterior side setback of Lot C were considered by Council and given a resolution to proceed with consideration of issuance once the rezoning application was approved. After the public hearing, City staff determined that a wider road dedication than originally expected was required and therefore the lot lines had to shift, creating the need for an additional variance to the rear lot line setback of Lot A. Due to this, additional Council review is necessary.

Table 1: Site Data

<i>Applicant</i>	Rov Dosanjh
<i>Owner</i>	1123983 BC Ltd.
<i>Civic Address</i>	3235 Happy Valley Road
<i>Legal Description</i>	LOT 8, SECTION 84, ESQUIMALT DISTRICT, PLAN 22027
<i>Size of Property</i>	1213 m ²
<i>DP Areas</i>	Hazardous Development Permit Area: Drainage Concern DP Area

<i>Zoning Designation</i>	RS1 – Residential Small Lot 1
<i>OCP Designation</i>	Neighbourhood Designation

SITE AND SURROUNDING AREA

The subject site is a corner property that currently contains a one-family dwelling, which is proposed to remain on the site. As well, an accessory storage building, that will be removed, is also on the property. The one-family dwelling faces and has driveway access off of Isabell Avenue. The flat site is partially treed, with most of the trees located along the road frontages and the southeast corner of the property.

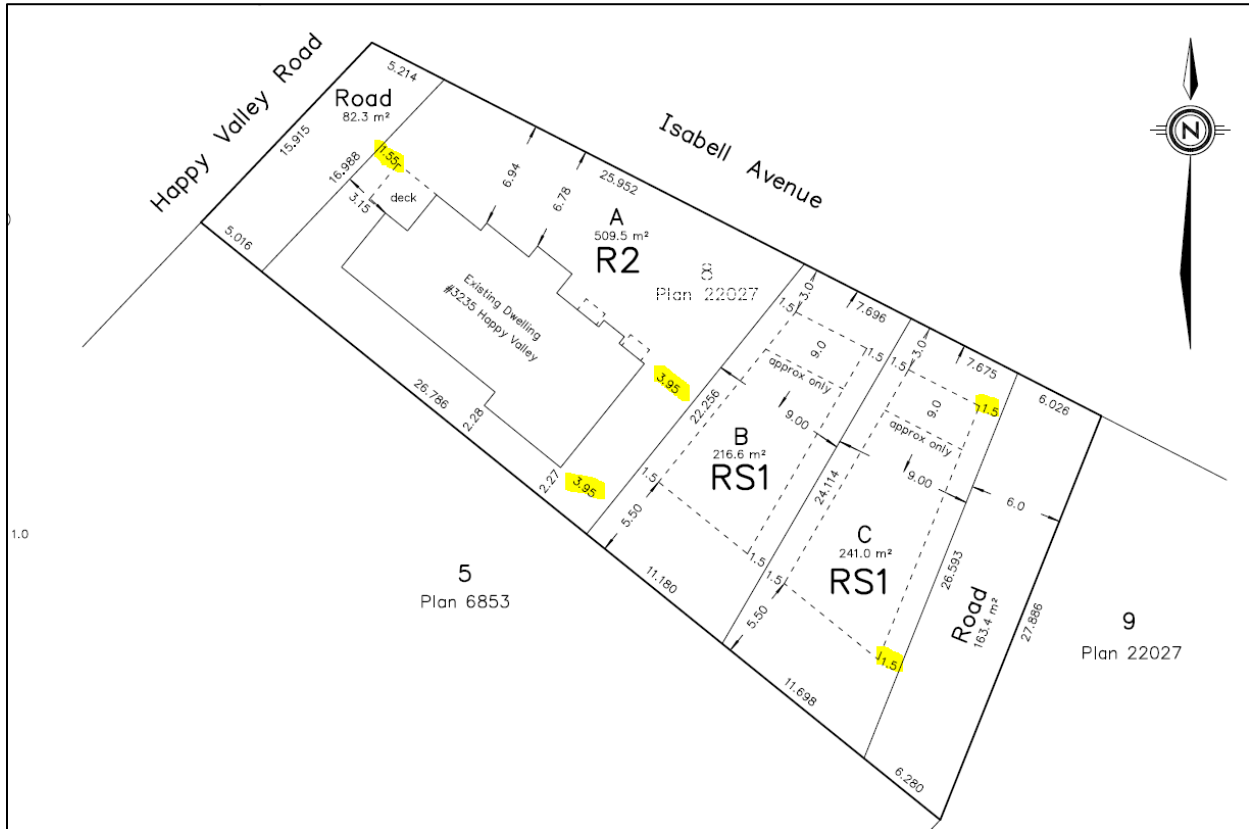
Table 2: Surrounding Land Uses

	Zoning	Use
<i>North (3231 Happy Valley Road)</i>	R2, Residential One and Two Family Dwelling, Zone	One family dwelling
<i>East (967A and 967B Isabell Ave.)</i>	RS1, Residential Small Lot 1, Zone	Two family dwelling
<i>South (3239 Happy Valley Road)</i>	R2, Residential One and Two Family Dwelling, Zone	One family dwelling
<i>West (3236 Happy Valley Road)</i>	R2, Residential One and Two Family Dwelling, Zone	One family dwelling

COMMENTS**DEVELOPMENT PROPOSAL**

As discussed above, the three variances that are being sought by the applicant are to reduce the front lot line setback (Happy Valley Road) of Lot A from the required 3 m to 1.55 m, to reduce the rear setback of Lot A from the required 5.5 m to 3.95 m, and to reduce the exterior side setback of Lot C from the required 3.5 m to 1.5 m. The variances are demonstrated below in Figure 1. Council may wish to note that 3235 Happy Valley Road was “split zoned”, meaning that Lot A is still within the R2 (One- and Two-Family Residential) Zone, while Lots B and C are within the RS1 (Residential Small Lot 1) Zone. This means that the minimum required lot size is larger for Lot A than Lots B and C, and the required setbacks are slightly different.

Figure 1: Site plan with proposed variances highlighted



The variance to the front lot line setback of Lot A is necessary because the City required the developer to dedicate 5 m of the property along Happy Valley as road. Given that the developers are intending to retain the existing dwelling, the structure will now need a variance to 1.55 to accommodate the existing home and deck. Council may wish to note that they could issue this variance for the existing dwelling only so that if the home is demolished in the future, a new dwelling would be required to conform to the standard setback requirement of 3 m. When Council originally contemplated this variance within the rezoning process, their resolution required as a condition of granting the variance, that the developer construct fencing in accordance with Section 3.21 of the Zoning Bylaw and that upgrades be made to the front façade of the home to better meet our design guidelines for Intensive Residential development on corner lots. The project designer has noted that the planned upgrades to the existing dwelling include adding HardieShingle in the gables, board and batten on the bump outs and front entry, and new railings on the deck. Figure 2 below depicts a streetscape drawing of Isabell Avenue showing how the existing home with upgrades will look beside the two homes planned for Lots B and C.

Figure 2 – Isabell Avenue Streetscape



The variance to the rear lot line setback of Lot A was not contemplated by Council during rezoning as it was not deemed necessary at the time of report writing. Since then, City staff determined that we would need a wider road dedication along the boundary of Lot C for the new road (shown above). Due to this, Lot C was no longer large enough to meet the minimum lot size of the zone, resulting in the interior side lot lines of Lots B and C being shifted towards Lot A. This has reduced the amount of space provided between the existing dwelling and the rear lot line from the required 5.5 m to 3.95 m. As noted above, Council could issue this variance for the existing dwelling only so that should the home be demolished in the future, a new dwelling would be required to conform to the standard setback requirement of 5.5 m.

The variance to the exterior side setback of Lot C is requested to accommodate the proposed building envelope which, after the required road dedication to create the new road, will be 1.5 m to the property line instead of the required 3.5 m. When Council originally contemplated this variance within the rezoning process, their resolution required, as a condition of granting the variance, that the developer construct fencing in accordance with Section 3.21 of the Zoning Bylaw. Given this, Council may wish to proceed with the same condition.

OPTIONS:

Option 1

THAT the Planning, Zoning, and Affordable Housing Committee recommend:

1. That Council direct staff to provide notice that Council will consider issuing a Development Variance Permit for the property at 3235 Happy Valley Rd with the following variances:
 - a) That Section 6.22.07(1)(a) of Zoning Bylaw No. 300 be varied to reduce the front lot line setback requirement from 3m to 1.55 m for the existing structure only on Proposed Lot A, subject to the following condition:
 - i) That the developer agrees to modify the design of the front façade of the existing home to align better with the Design Guidelines for Intensive Residential development on corner properties, to the satisfaction of the Director of Planning;
 - ii) That the developer agrees to construct fencing along all property lines in accordance with Section 3.21 of Zoning Bylaw No. 300.
 - b) That Section 6.22.07(1)(b) of Zoning Bylaw No. 300 be varied to reduce the rear lot line setback requirement from 5.5 m to 3.95 m for the existing structure only on Proposed Lot A;
 - c) That Section 6.20.06(1)(c) of Zoning Bylaw No. 300 be varied to reduce the exterior side lot line setback requirement from 3.5 m to 1.5 m for Proposed Lot C, subject to the following condition:
 - i) That the developer agrees to construct fencing along all property lines in accordance with Section 3.21 of Zoning Bylaw No. 300.

OR Option 2

THAT the Planning, Zoning, and Affordable Housing Committee recommend:

2. That Council reject this application for development variance permit.

SUBMITTED BY: Julia Buckingham, Planner II

Concurrence: Leah Stohmann, MCIP, RPP, Deputy Director of Planning and Subdivision

Concurrence: Matthew Baldwin, MCIP, RPP, Director of Planning and Subdivision

Concurrence: Michelle Mahovich, P.Eng, P.Geo, Director of Engineering and Public Works

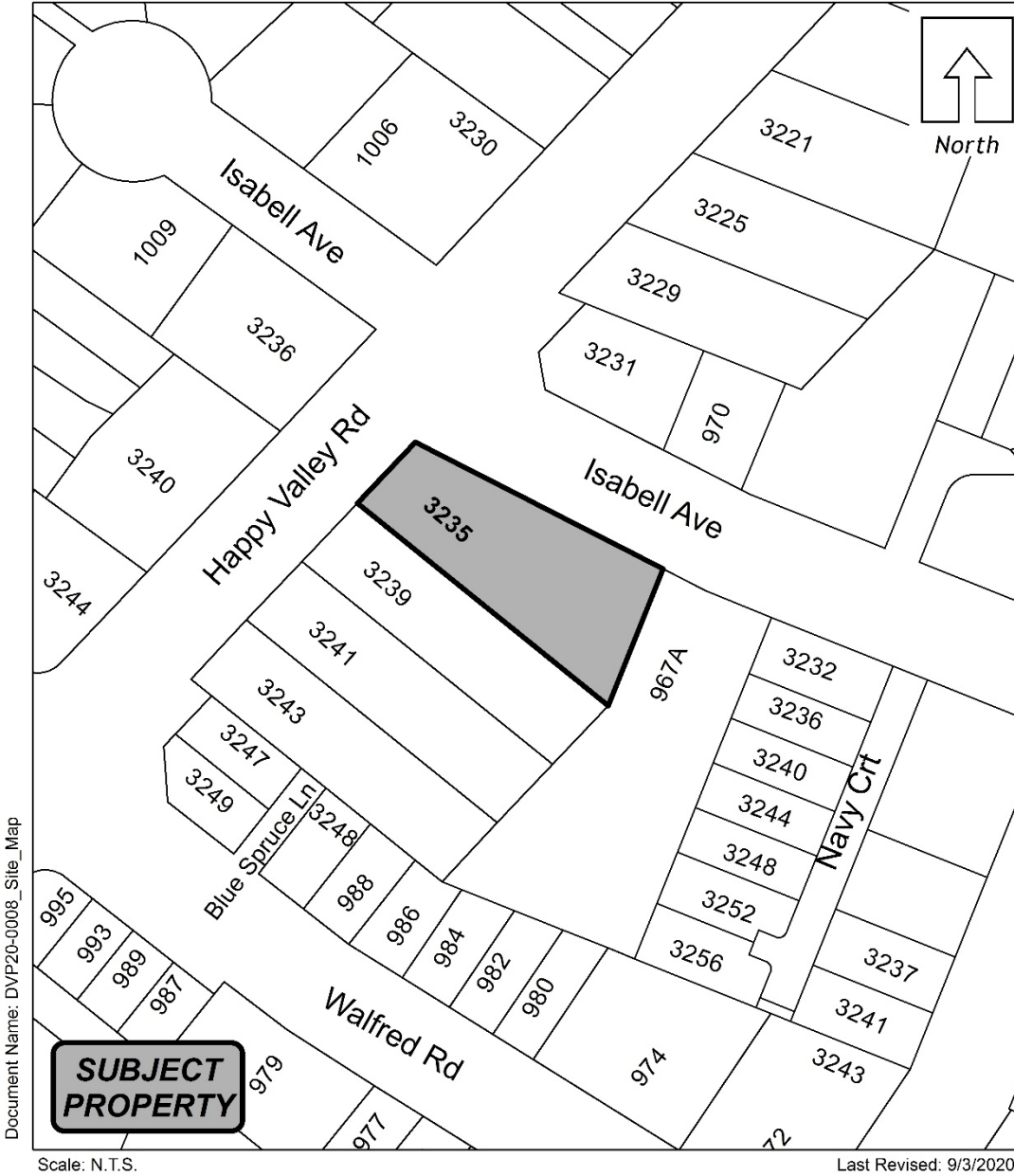
Concurrence: Michael Dillabaugh, CPA, CA, Director of Finance

Concurrence: Marie Watmough, Acting Director of Corporate Services

Concurrence: Darren Kiedyk, Chief Administrative Officer

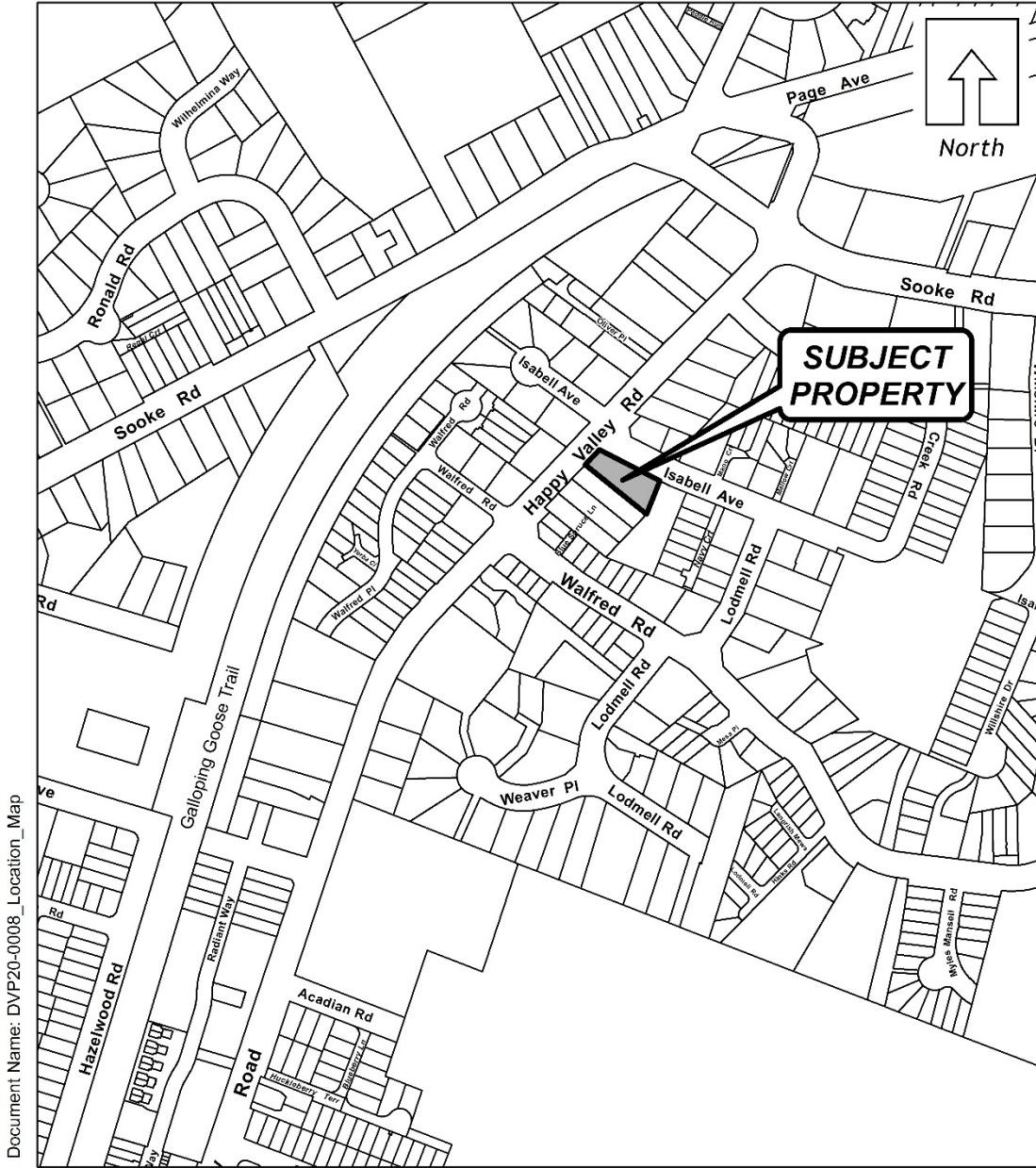
Appendix A – Site Map

**DEVELOPMENT VARIANCE PERMIT
(DVP20-0008)
3235 Happy Valley Rd**



Appendix B – Location Map

**DEVELOPMENT VARIANCE PERMIT
(DVP20-0008)
3235 Happy Valley Rd**



Document Name: DVP20-0008_Location_Map

Scale: N.T.S.

Last Revised: 9/3/2020



Staff Report to the Planning, Zoning and Affordable Housing Committee

DATE: Monday, December 13, 2021

DEPARTMENT: Planning

APPLICATION NO.: Z21-0033

SUBJECT: Bylaw No. 2019 – Application to rezone 982, 984, 986 and 988 Bray Avenue from the One- and Two-Family Residential (R2) zone to the City Centre 1 (CC1) zone to allow for a multi-family residential building.

PURPOSE

Pradip Misra of Misra Architect Ltd. has applied on behalf of the property owners to rezone 982-988 Bray Avenue from *One- and Two-Family Residential (R2)* zone to the *City Centre (CC1)* zone in order to construct a four-storey multi-family residential building that would contain approximately 43 residential units.

BACKGROUND

PREVIOUS APPLICATIONS

The City has not received any previous planning applications on the subject properties.

Table 1: Site Data

<i>Applicant</i>	Pradip Misra
<i>Owners</i>	Simon Ngai Lynda and Ron Greenough
<i>Civic Addresses</i>	982, 984, 986 and 988 Bray Avenue
<i>Legal Descriptions</i>	982 and 984 Bray Avenue: Lot 4, Section 79, Esquimalt District, Plan 10124 (PID: 000-138-088) 986 and 988 Bray Avenue: Lot 3, Section 79, Esquimalt District, Plan 10124 (PID: 000-059-803)
<i>Size of Properties</i>	1,937 m ² (0.48 acres)
<i>DP Areas</i>	City Centre

<i>Zoning Designation</i>	Existing: One- and Two-Family Residential (R2)	Proposed: City Centre 1 (CC1)
<i>OCP Designation</i>	Existing: City Centre	Proposed: City Centre

SITE AND SURROUNDING AREA

The existing properties each contain a two-family dwelling, and all properties are flat in nature. There are a few trees and large bushes throughout, but these properties, as well as surrounding properties have minimal tree coverage overall. To the east, south, and west are similar properties containing some one and two-family dwellings as well as townhouses. To the north is Centennial Park, which contains baseball diamonds, tennis courts, and a playground.

Table 2: Surrounding Land Uses

	Zoning	Use
<i>North</i>	P2 (Community Institutional)	Recreational
<i>East</i>	R2 (One- and Two-Family Residential)	One-Family Residential
<i>South</i>	R2 (One- and Two-Family Residential)	One and Two-Family Residential
<i>West</i>	RT1 (Residential Townhouse)	Townhomes

Figure 1: Subject Properties



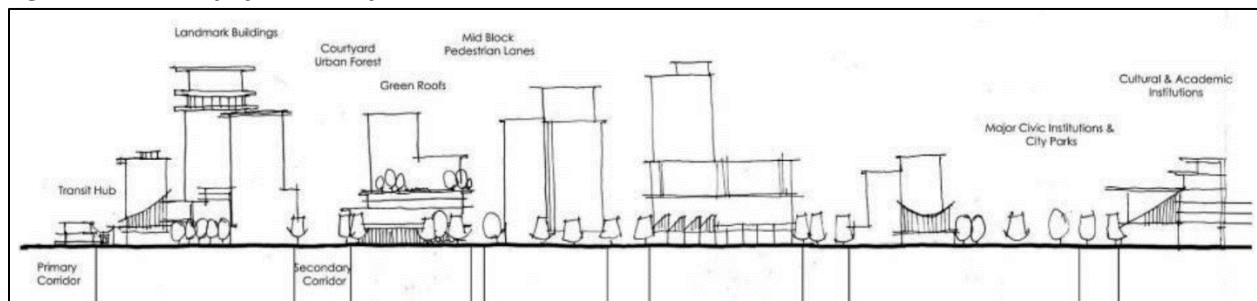
COUNCIL POLICY

OFFICIAL COMMUNITY PLAN

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

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

Figure 1: A Concept for the City Centre



DEVELOPMENT PERMIT AREAS

The subject properties are not located within any of the Environmental Protection or Hazardous Area Development Permit Areas. However, these properties are located within the City Centre Development Permit Area and since the proposal is for a multi-family development, a Development Permit for Form and Character will be required. Conceptual elevation drawings are attached to this report as Appendix B; however these will be further reviewed and refined as part of the Development Permit process to ensure the design is consistent with the City's Design Guidelines.

DESIGN GUIDELINES

The subject properties are located within 'S1 Centennial Park' of the City Centre Neighbourhoods in the Design Guidelines as outlined in Figure 2. For this region of the City Centre, the design intent is as follows:

Surrounding a large green space, the Centennial Park neighbourhood boasts late century single family dwellings located on cul-de-sac roads.

This neighbourhood is very suitable for mixed-use development, shared streets and enlarged walkways as well as high-density apartment buildings near Goldstream Ave.

Other opportunities for development in this neighbourhood include townhouses and medium density apartments to replace the single-family dwellings on cul-de-sacs and shared streets.

Emphasis within the Centennial Park neighbourhood shall be placed on a family focus and being able to move through the housing continuum by addressing various housing types.

Further to these Neighborhood Guidelines, the subject properties are identified as being appropriate for consideration of the City Centre 1 (CC1) Zone on the City Centre Concept Map recently added to the City Centre design guidelines. As such, this proposal is consistent with the City Centre Concept Map.

COMMENTS

DEVELOPMENT PROPOSAL

The applicant is proposing to rezone the subject properties to CC1 (City Centre) in order to construct a four-storey residential building that would contain approximately 43 residential units.

The existing properties would be consolidated into one lot and there would be a single point of entry and exit located at the east side of the property. This entryway would provide direct access to the ramp for the underground parkade. Council may wish to require the lot consolidation to occur prior to issuance of a Development Permit for Form and Character.

The ground level residential units along Bray Avenue would all have individual pedestrian access to the fronting sidewalk, thereby complying with the 80% active frontage requirement. The common outdoor amenity space for the residents is at the rear of the building.

The proposed development would be located next to a well-used Park, one that generates noise from a variety of uses that take place at a variety of times. This could cause some discomfort for individuals living in this building and by extension, there could potentially be complaints to the City regarding the noise. Due to the potential conflict, Council may wish to require a covenant be registered on title that informs

Figure 2: S1 Centennial Park



individuals that there will be noise generated from the variety of Park uses that will take place at a variety of times.

With respect to type of units, Langford has seen a concentration of rental apartments among multi-family residential developments. In an effort to provide options for future home ownership and ensure flexibility of housing types for all residents, Council may wish to require that developers strata title multi-family residential buildings at the time of construction so that individual units may be offered for sale if market conditions change at some later date. Taking this step at the time of construction does not impede the use of the building as a rental, but ensures that a building is appropriately constructed and will not require potentially costly upgrades if strata title conversion is sought in the future. Council may wish to have the applicant register a building strata plan as a condition of rezoning prior to issuance of an occupancy permit and have this provision secured within a section 219 covenant registered on title.

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 parking requirements to ensure separate rent is not charged for a parking space. This would prevent future tenants from declining to pay separately for a parking stall and choosing to park on the surrounding streets instead.

The developer will be required to provide a Fire Underwriters Survey (FUS) Report to verify that sufficient water pressure is available to serve the development. The developer will be responsible for providing FUS calculations prior to the issuance of a development permit. The developer should be aware that the spatial distance between buildings may be affected by the FUS report, and will take precedence over any setback requirements of the Zone. A condition, within a Section 219 covenant registered on the property, should make the developer aware of the requirement to submit the FUS calculations prior to the issuance of a DP to develop the site.

Additionally, Council may wish to require the onsite parking spaces to 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 the future.

Table 3: Proposal Data

	Permitted by R2 (Current Zone)	Permitted by CC1 (Proposed Zone)
<i>Permitted Uses</i>	<ul style="list-style-type: none"> • One or Two-Family Dwelling • Group Day Care • Home Occupation 	<ul style="list-style-type: none"> • Apartment • Hotel • Office • Retail Store
<i>Density</i>	n/a	5.0 FAR
<i>Height</i>	9m (30 ft)	6 storeys

<i>Site Coverage</i>	40% max	n/a
<i>Front Yard Setback</i>	3.0 m (9.8 ft), or 5.5m (18 ft) for the garage portion	2.0m (6.6 ft) 1-2 storeys 4.0m (13 ft) 3+ storeys
<i>Interior Side Yard Setback</i>	1.5m (5.0 ft)	3.0 (9.8 ft)
<i>Exterior Side Yard Setback</i>	3.0 m (9.8 ft), or 5.5m (18 ft) for the garage portion	2.0m (6.6 ft) 1-2 storeys 4.0m (13 ft) 3+ storeys
<i>Rear Yard Setback</i>	5.5m (18 ft)	3.0 (9.8 ft)
<i>Parking</i>	2 per unit + 1 per suite	1.25 per 0-2 bedrooms 2.25 per 3 + bedrooms

FRONTAGE IMPROVEMENTS

Bray Avenue

The applicant will be required to provide full frontage improvements in accordance with Bylaw 1000, prior to issuance of a building permit. Improvements would include parking scallops, a bike lane, a 2.2 m separated sidewalk, boulevard landscaping with irrigation, and street lighting. The improvements would be to the satisfaction of the Director of Engineering. Council may wish to require that the applicant provide a Traffic Impact Assessment to determine if a turning lane would be needed. Furthermore, Council may wish for the applicant to provide a road cross section showing all required frontage improvements, including the turning lane if triggered, in order to determine if any road dedication is required.

SEWERS

A sewer main does exist within Bray Avenue fronting this site and connections from the building to this main would be required. 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.

DRAINAGE AND STORMWATER MANAGEMENT

This site is located within an area where stormwater infiltration is required as per Bylaw 1000, and stormwater mains do not exist within Bray Avenue. 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 5 and 6 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 5 below, which is based on 43 units.

Table 5 – Amenity Contributions per Council Policy

Amenity Item	Contribution Rates	Total
<i>Affordable Housing Reserve Fund</i>	\$750 per unit	\$32,250
<i>General Amenity Reserve Fund</i>	\$2,850 per unit	\$122,550

Table 6 – Development Cost Charges

Development Cost Charge	Per Unit Contribution	Total
<i>Roads</i>	\$3,092.39 per unit	\$132,972.77
<i>Park Improvement</i>	\$1,890 per unit	\$81,270
<i>Park Acquisition</i>	\$1,100 per unit	\$47,300
<i>ISIF Fees</i>	\$331.65 per unit	\$14,260.95
Subtotal (DCCs to Langford)		
<i>CRD Water</i>	\$1,644 per unit	\$70,692
<i>School Site Acquisition</i>	\$600 per unit	\$25,800
TOTAL DCCs (approximately)		\$372,295.72

OPTIONS:

Option 1

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

1. Proceed with consideration of Bylaw No. 2019 to amend the zoning designation of the property at 982, 984, 986 and 988 Bray Avenue from the One- and Two-Family Residential (R2) zone to the City Centre 1 (CC1) 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.
 - b. 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 development;
 - ii. A site plan showing the entry and exit to the parkade as far east as possible;
 - iii. A Traffic Impact Assessment (TIA) from a qualified engineer be provided regarding the proposed development to determine if a left turning lane is required;
 - iv. A road cross section be provided to determine possible land dedication;
 - c. That **prior to Bylaw Adoption**, the applicant registers a road dedication plan, if required, in accordance with the road cross section drawings provided and 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 all 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 a separate covenant be registered that informs individuals about the potential noise that will be generated from the neighbouring Park at various times;
- iv. That no occupancy permit be issued for the proposed building unit a strata plan for the building has been registered, to the satisfaction of the Approving Officer;
- v. 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.
- vi. That the developer submits the Fire Underwriters Survey (FUS) calculations prior to the issuance of a development permit to develop the property, and acknowledges that these calculations may determine different setbacks than what is prescribed in the zone;
- vii. That the following will be provided to the standards of Bylaw No. 1000 and implemented to the satisfaction of the Director of Engineering, prior to issuance of a building permit:
 - 1. Any upgrades, connections and installation of services and utilities required to support the proposed development;
 - 2. A formal storm water management plan;
 - 3. A construction parking and traffic management plan;
 - 4. Full frontage improvements including but not limited to parking scallops, a bike lane, a 2.2 m separated sidewalk, boulevard landscaping with irrigation and street lighting;
- viii. That the developer submits the Fire Underwriters Survey (FUS) calculations prior to the issuance of a development permit to develop the property, and acknowledges that these calculations may determine different setbacks than what is prescribed in

the zone or from what has been granted through variances;

OR Option 2

THAT Planning, Zoning and Affordable Housing Committee recommend that Council:

1. Take no action at this time with respect to Bylaw No. 2019

SUBMITTED BY: Matt Notley, Planner I

Concurrence: Leah Stohmann, MCIP, RPP, Deputy Director of Planning and Subdivision

Concurrence: Matthew Baldwin, MCIP, RPP, Director of Planning and Subdivision

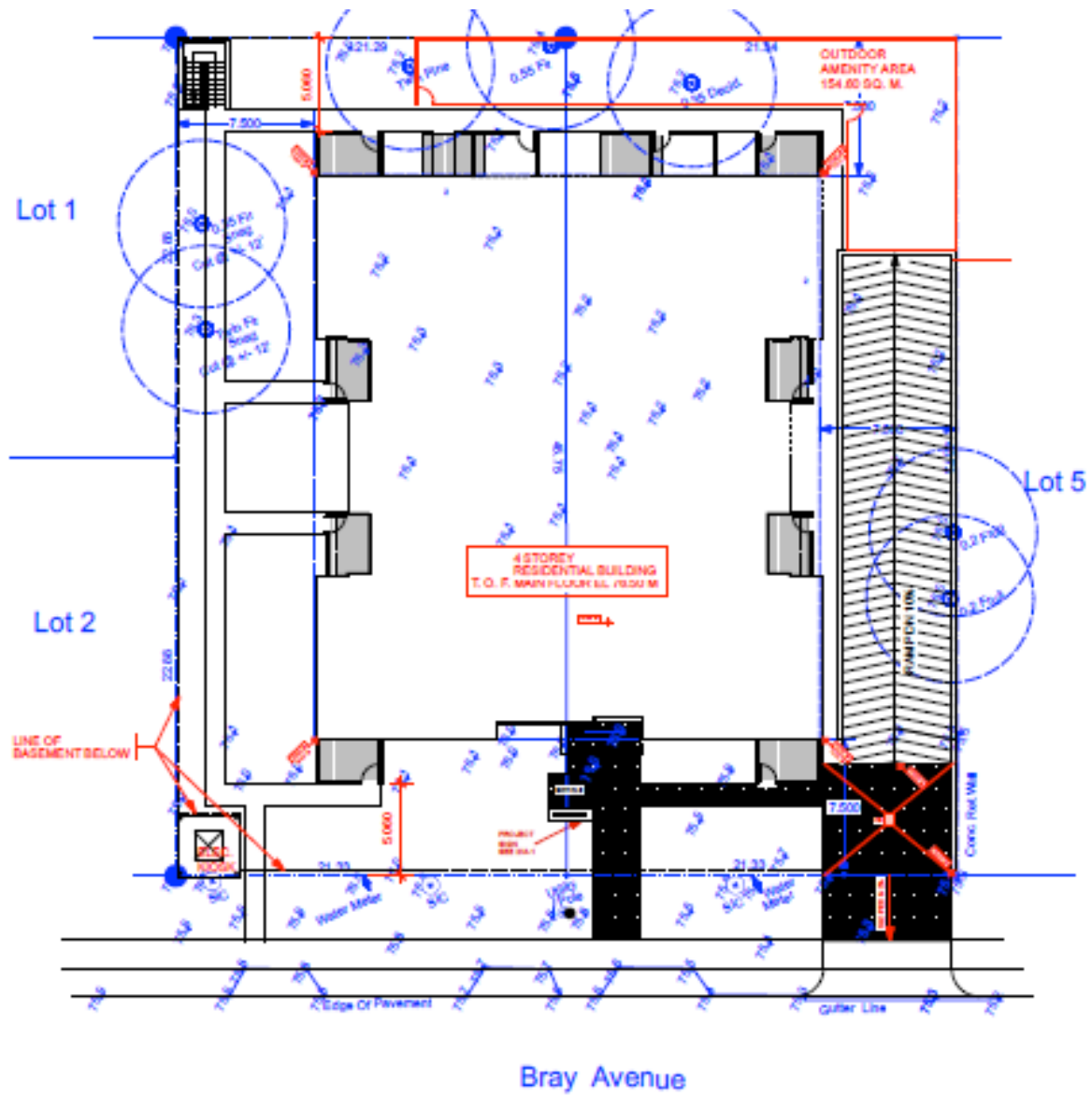
Concurrence: Michelle Mahovlich, P.Eng, P.Geo, Director of Engineering and Public Works

Concurrence: Michael Dillabaugh, CPA, CA, Director of Finance

Concurrence: Marie Watmough, Acting Director of Corporate Services

Concurrence: Darren Kiedyk, Chief Administrative Officer

Appendix A – Site Plan



Appendix B – Elevation Drawings



1 SOUTH ELEVATION
Scale: 1/160



2 WEST ELEVATION
Scale: 1/160

Appendix C – Subject Properties Map

**REZONING BYLAW AMENDMENT
(Z21-0033)
982, 984, 986 & 988 Bray Ave**



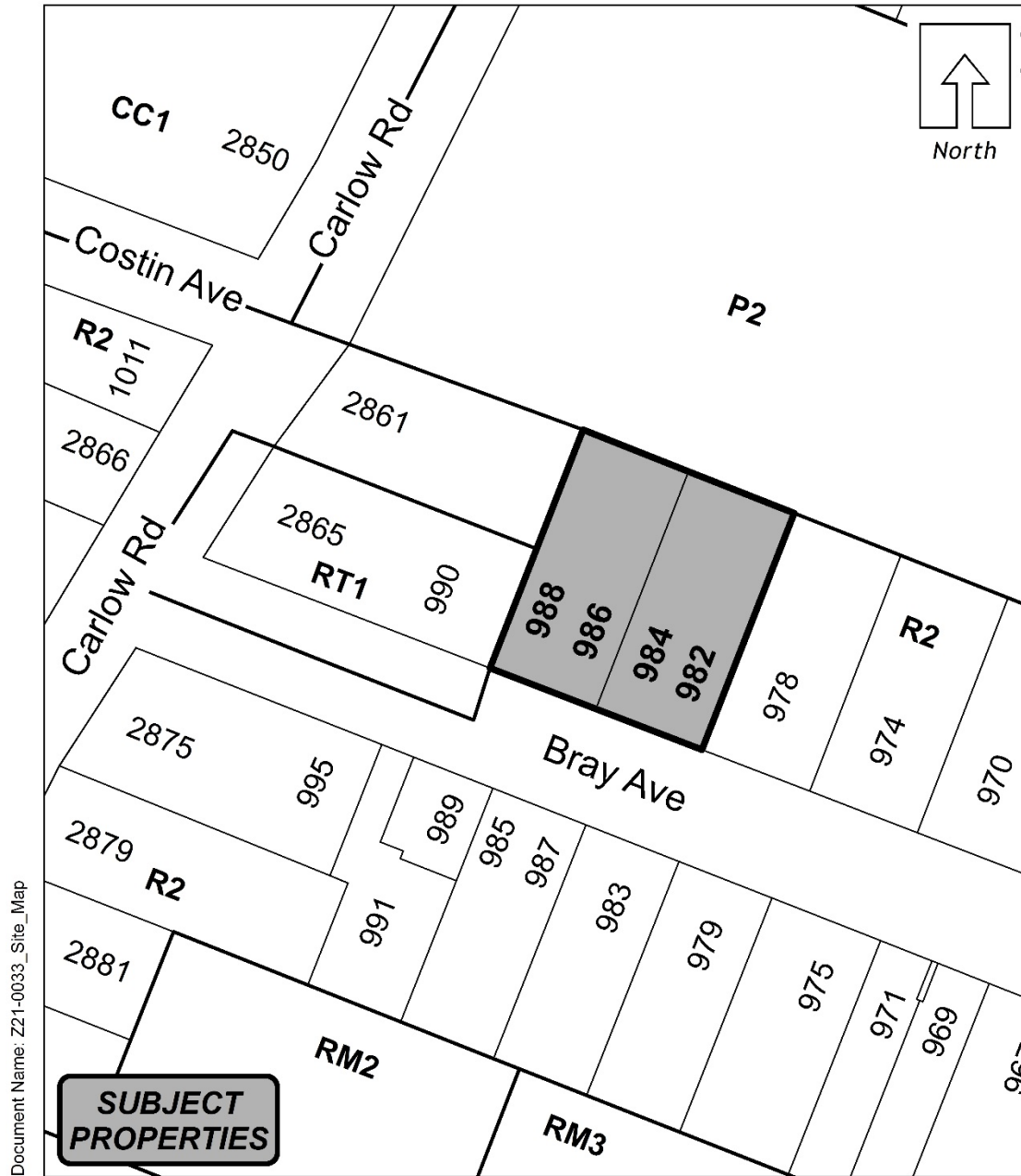
Document Name: Z21-0033_Location_Map

Scale: N.T.S.

Last Revised: 9/9/2021

Appendix D – Site Map

**REZONING BYLAW AMENDMENT
(Z21-0033)
982, 984, 986 & 988 Bray Ave**



Document Name: Z21-0033_Site_Map

Scale: N.T.S.

Last Revised: 9/9/2021

**CITY OF LANGFORD
BYLAW NO. 2019**

**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 One- and Two-Family Residential (R2) Zone and adding to City Centre (CC1) Zone the properties legally described as:

- Lot 3, Section 79, Esquimalt District, Plan 10124, PID NO. 000-059-803 (986 and 988 Bray Avenue)
- Lot 4, Section 79, Esquimalt District, Plan 10124, PID NO. 000-138-088 (982 and 984 Bray Avenue)

in the 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)
CC1	2019	Lot 3, Section 79, Esquimalt District, Plan 10124, PID NO. 000-059-803, 986 and 988 Bray Avenue); Lot 4, Section 79, Esquimalt District, Plan 10124, PID NO. 000-138-088 (982 and 984 Bray Avenue).	a) \$2,850 per new residential unit created on the 1 st to 4 th storeys of the building towards the General Amenity Reserve Fund; and b) \$1,425 per new residential unit created on the 5 th and 6 th storeys of the building towards the General Amenity Reserve Fund; and c) \$750 per new residential unit created on the 1 st to 4 th storeys of the building towards the Affordable Housing Reserve Fund; and d) \$375 per new residential unit created on the 5 th and 6 th storeys of the building towards the Affordable Housing Reserve Fund.	No

B. This Bylaw may be cited for all purposes as "Langford Zoning Bylaw, Amendment No. 650, (982, 984, 986, and 988 Bray Avenue), Bylaw No. 2019, 2021".

READ A FIRST TIME this day of, 2021.

PUBLIC HEARING held this day of , 2022.

READ A SECOND TIME this day of , 2022.

READ A THIRD TIME this day of , 2022.

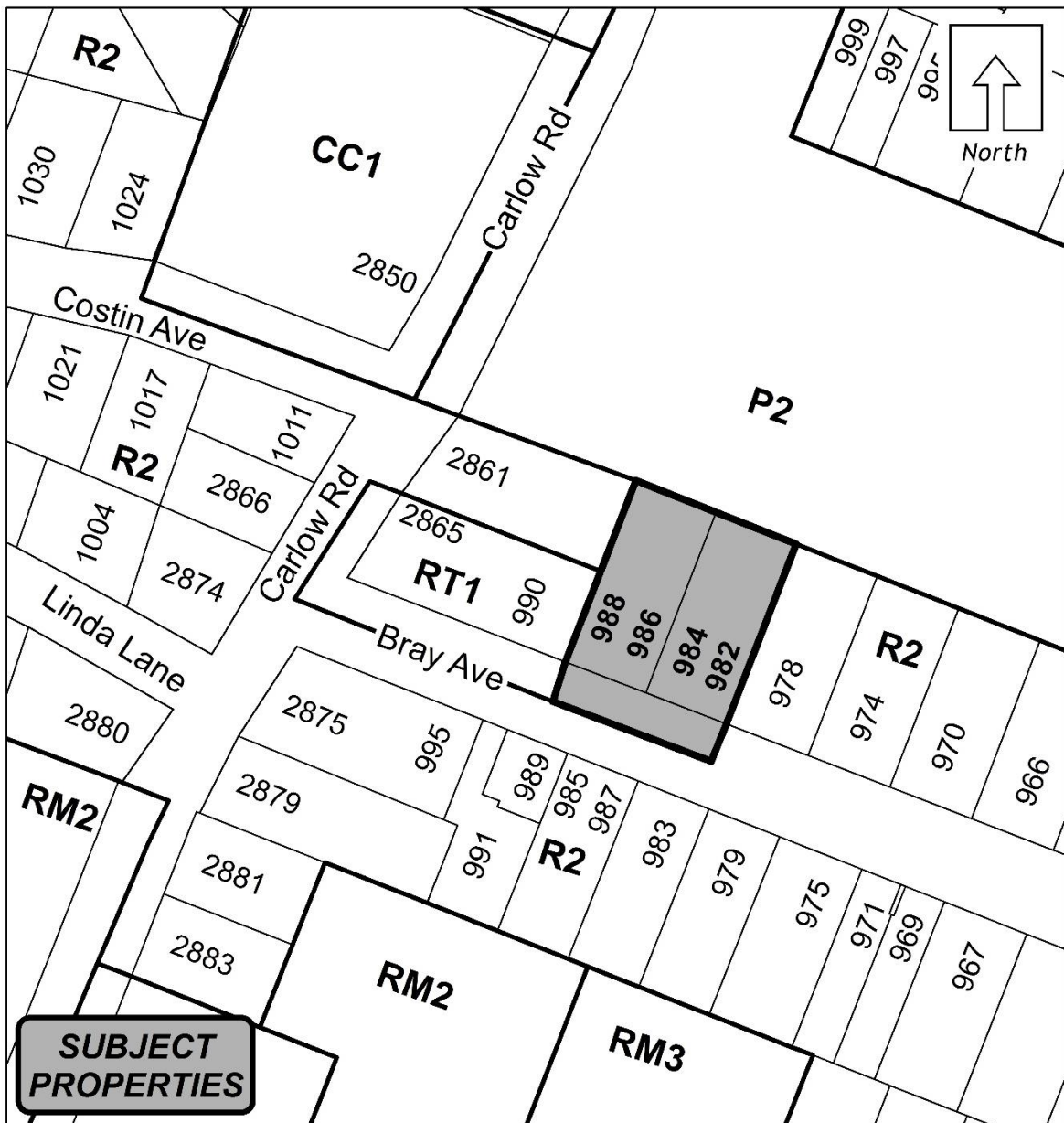
APPROVED BY THE MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE this day of , 2022.

ADOPTED this day of , 2022.

PRESIDING COUNCIL MEMBER

CORPORATE OFFICER

Schedule A





Staff Report to the Planning, Zoning and Affordable Housing Committee

DATE: Monday, December 13, 2021

DEPARTMENT: Planning

APPLICATION NO.: Z21-0040

SUBJECT: Application to Rezone 2772 Vantilburg Crescent from One- and Two-Family Residential (R2) Zone to City Centre 2 (CC2) Zone to allow for the development of 20 townhomes.

BACKGROUND:

Mehdi Khataw of Khataw Developments has applied on to rezone 2772 Vantilburg Crescent from the One- and Two-Family Residential (R2) Zone to the City Centre 2 (CC2) Zone to allow for the development of approximately 20 townhouses.

PREVIOUS APPLICATIONS

The City received a Development Variance Permit application in 2004; however this application was later closed.

Table 1: Site Data

<i>Applicant</i>	Mehdi Khataw
<i>Owner</i>	Khataw Developments
<i>Civic Address</i>	2772 Vantilburg Crescent
<i>Legal Description</i>	Lot 1, Section 1, Esquimalt District, Plan 44446
<i>Size of Property</i>	3,356 m ² (0.83 acres)
<i>DP Areas</i>	City Centre and Drainage Concern
<i>Zoning Designation</i>	One- and Two-Family Residential (R2)
<i>OCP Designation</i>	City Centre

SITE AND SURROUNDING AREA

The subject parcel is located north of Goldstream Avenue on a cul-de-sac road within the City Centre. The existing property contains a single-family dwelling and is flat in nature. The surrounding land uses include medium density residential buildings, public elementary school, as well as single family dwellings.

There is a pond at the rear of the property, which has been designated as a Drainage Concern Development Permit Area (Hazard) since 1997 but is not designated within the Riparian Development Permit Area (Environmental Protection). The applicant has provided a report from a Registered Biologist who concludes the waterbody is an isolated pond with no direct connection to fish habitat off the site including Millstream Creek. The Biologist explains there are no environmental sensitivities identified within the confines of the lot or in the pond, and that the pond does not meet the Provincial Riparian Areas Protection Regulation (RAPR).

Table 2: Surrounding Land Uses

	Zoning	Use
<i>North</i>	R2	Residential
<i>East</i>	R2	Residential
<i>South</i>	RM2 & R2	Single-Family and Multi-Family Residential
<i>West</i>	MU1A & P2	Single-Family and Multi-Family Residential and School

Figure 1: Location of Subject Property (Ortho Captured in 2021)



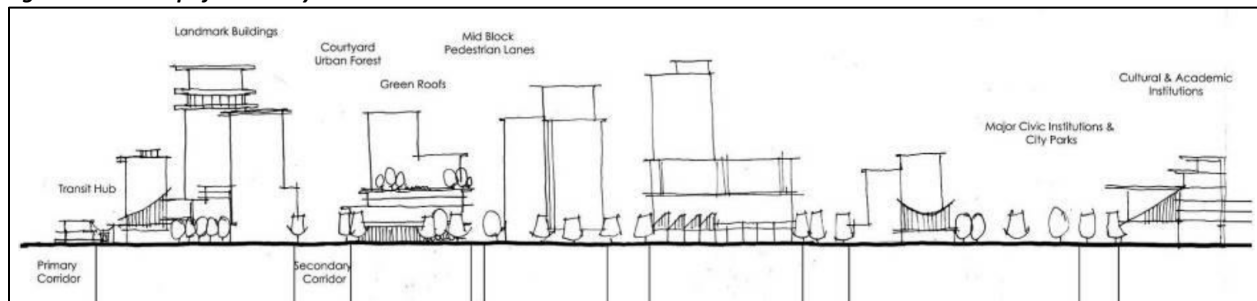
COMMENTS:

OFFICIAL COMMUNITY PLAN

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

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

Figure 2: A Concept for the City Centre



DEVELOPMENT PERMIT AREAS

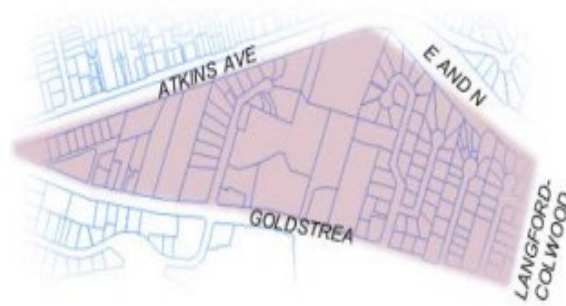
As noted above, a portion of the subject property is located within the Drainage Concern Development Permit Area (Hazard). As such, a report from a qualified professional addressing this must be provided as part of the Development Permit application, and this report will form part of the stormwater management plan for the property. A development permit must be issued prior to alteration of any land on-site. The subject property is also located within the City Centre Development Permit Area, and since the proposal is for a townhouse development, a Development Permit for Form and Character will also be required. This DP would need to be issued prior to a building permit to ensure the design is consistent with the City’s Design Guidelines.

DESIGN GUIDELINES

The subject property is located within “S6 Goldstream East” of the City Centre Neighbourhoods in the Design Guidelines as outlined in Figure 2. For this region of the City Centre, the design intent is as follows:

The Goldstream East neighbourhood is located on the easternmost boundary of the City Centre and is comprised of predominantly low-rise single-family dwelling. There are commercial and institutional facilities located along the western portion of Goldstream Avenue.

Figure 3: S6 Goldstream East



Development shall focus on medium-density residential buildings, with mixed-use building encouraged along Goldstream Avenue, particularly towards the Goldstream Avenue and Veterans Memorial Parkway Intersection.

A development emphasis should incorporate pedestrian access between cul-de-sac roads in the east as well as creating a family orientation near the school with green and open space.

It is further noted for Council’s information that the subject property is designated as being appropriate for consideration of the CC2 Zone, as proposed, within the City Centre Concept map included in the City Centre design guidelines.

DEVELOPMENT PROPOSAL

The applicant is proposing to rezone the subject property to City Centre 2 (CC2) in order to construct approximately 20 townhouse units within eight separate townhouse blocks. The proposal generally meets the guidelines for multi-family residential development; however, a more thorough review of the design and layout of the units will be completed during the Form and Character Development Permit process, and additional changes may be required.

At the time of Development Permit, if the applicant wishes to construct apartment units at a later date, the proposed change will be subject to a new Public Hearing.

Access to the site will be along the east property boundary with parking at the rear of the units fronting Vantilburg, providing a “walk up” presence.

Resident parking will be provided in accordance with Section 4.01 of Zoning Bylaw No. 300 with two enclosed stalls for each unit. The applicant has proposed the necessary amount of visitor parking located at the front and rear of the property.

Table 3: Proposal Data

	Permitted by R2 (Current Zone)	Permitted by CC2 (via RT1) (Proposed Zone)
Density (min. lot size)	400 m ² (4,305 ft ²)	100 m ² (1,076.4 ft ²)

<i>Height</i>	9 m (29.5 ft)	10 m (32.8 ft)
<i>Site Coverage</i>	40%	60%
<i>Front Yard Setback</i>	3.0 m (9.8 ft), or 5.5m (18 ft) for the garage portion	3.0 m (9.8 ft), or 5.5m (18 ft) for the garage portion
<i>Interior Side Yard Setback</i>	1.5 m (4.9 ft)	1.2 m (3.9 ft)
<i>Exterior Side Yard Setback</i>	3.0 m (9.8 ft), or 5.5m (18 ft) for the garage portion	3.0 m (9.8 ft), or 5.5m (18 ft) for the garage portion
<i>Rear Yard Setback</i>	5.5 m (18 ft)	5.5 m (18 ft)
<i>Parking Requirement</i>	2 per dwelling unit + 1 per suite	2 per dwelling unit plus 2-5 visitor spaces depending on number of units

PEDESTRIAN, CYCLING AND MOTORIST NETWORK

BC Transit has indicated the proposed development is serviced within a 200 metre proximity to Local Transit Network (LTN) and Regional Transit Network (RTN) routes, including:

LTN – Route 46 Dockyard/Westhills

- LTN service provides connection to local neighborhoods and local destinations as well as to Rapid and Frequent Transit Networks. This service is vital for the use of customers to get to work, school, or local shopping centers.

RTN – Route 50 Langford/Downtown

- Rapid Transit Network (RTN) services high volumes of passengers between major regional destination along key transportation corridors. RTN services will be frequent, therefore, 15 minute or better intervals between 7:00am – 10:00pm seven days per week.

FRONTAGE IMPROVEMENTS

The applicant will be required to provide full frontage improvements in accordance with Bylaw No. 1000, prior to the issuance of a building permit. These works will include but are not limited to road edge parking and streetlights.

STORMWATER MANAGEMENT

The applicant will be required to provide a stormwater management plan to the satisfaction of the Director of Engineering prior to the issuance of a building permit. 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.

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 issuance of a Building Permit. This should be secured within a covenant, prior to Bylaw Adoption.

FINANCIAL CONTRIBUTIONS:

FINANCIAL IMPLICATIONS

Rezoning the subject properties to permit higher densities will increase the assessed value of the land and eventually 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, based on the submitted plans proposing 20 units.

Table 4: Amenity Contributions per Council Policy

Amenity Item	Contribution Rates	Total
<i>General Amenity Reserve Fund</i>	\$3,800 per unit	\$76,000
<i>Affordable Housing Reserve Fund</i>	\$1,000 per unit	\$20,000
TOTAL POLICY CONTRIBUTIONS		\$96,000

Table 5: Estimated Development Cost Charges

Development Cost Charge	Per Unit Contribution	Total
<i>Roads</i>	\$3,865	\$77,300
<i>Park Improvement</i>	\$1,890	\$37,800
<i>Park Acquisition</i>	\$1,100	\$22,000
<i>Incremental Storage Improvement Fees</i>	\$371.25	\$7,425
Subtotal (DCCs paid to City of Langford)		\$144,525
<i>CRD Water</i>	\$1,644	\$32,880
<i>School Site Acquisition</i>	\$800	\$16,000
TOTAL DCC's (estimated)		\$193,405

OPTIONS:

Option 1

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

1. Proceed with consideration of Bylaw No. 2012 to amend the zoning designation of the property at 2772 Vantilburg Crescent from the One- and Two-Family Residential (R2) to City Centre 2 (CC2) subject to the following conditions:
 - a) That the applicant provides, as a bonus for increased density, the following contributions per unit, prior to issuance of building permit:
 - i. \$3,800 towards the General Amenity Fund; and
 - ii. \$1,000 towards the Affordable Housing 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 the issuance of a building permit:
 - i. Full frontage improvements;
 - ii. A storm water management plan; and
 - iii. A Construction Parking and Traffic Management Plan.

OR Option 2

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

1. Take no action at this time with respect to Bylaw No. 2012.

SUBMITTED BY: Matt Notley, Planner I

Concurrence: Leah Stohmann, MCIP, RPP, Deputy Director of Planning and Subdivision

Concurrence: Matthew Baldwin, MCIP, RPP, Director of Planning and Subdivision

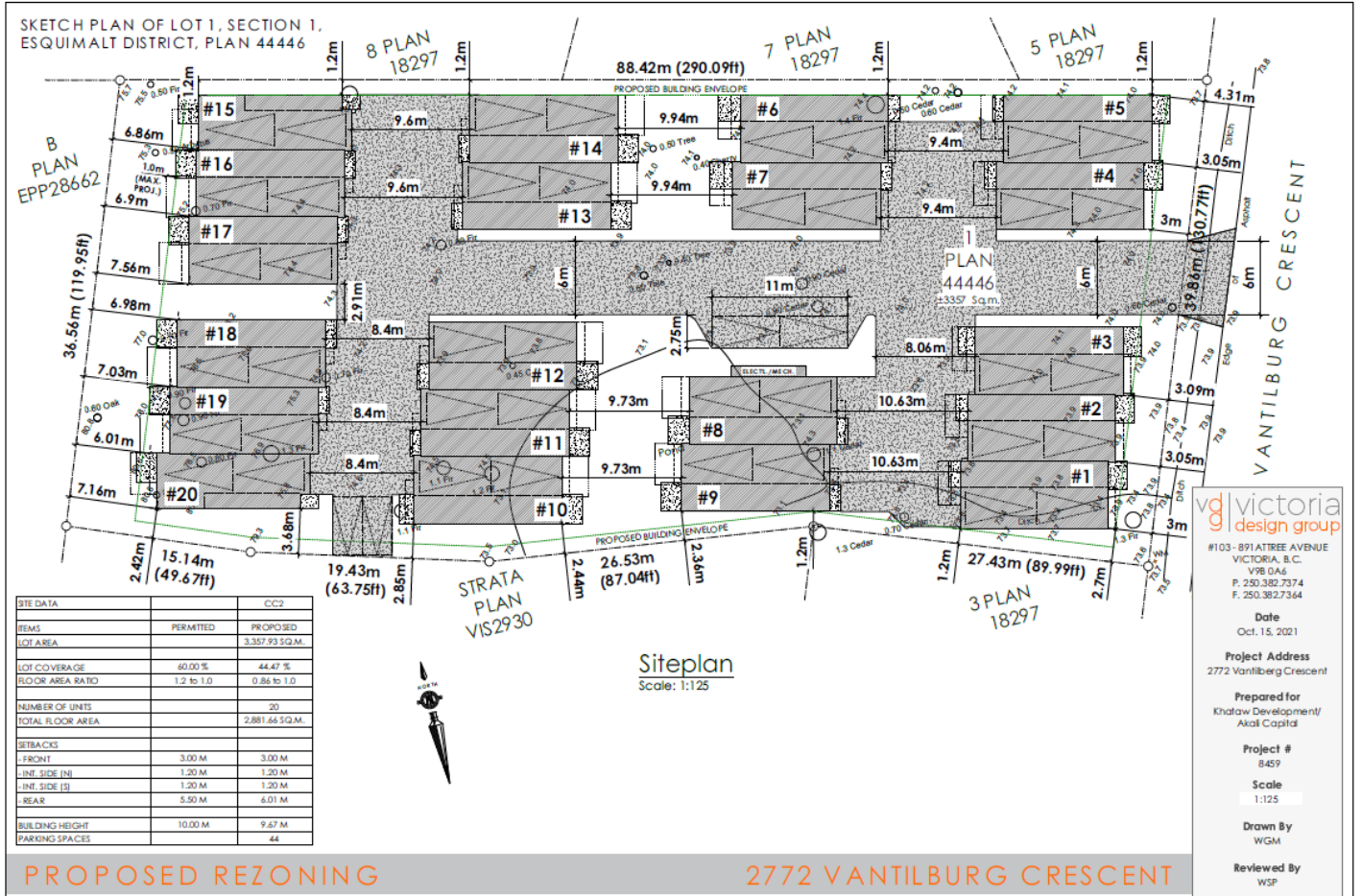
Concurrence: Michelle Mahovlich, P.Eng, P.Geo, Director of Engineering and Public Works

Concurrence: Michael Dillabaugh, CPA, CA, Director of Finance

Concurrence: Marie Watmough, Acting Director of Corporate Services

Concurrence: Darren Kiedyk, Chief Administrative Officer

Appendix A – Site Plan



Appendix B – Elevation Renderings

UNITS #1-3



Front Elevation (Viewed from Vantilberg Crescent)

PROPOSED COLOUR PALETTE:

PRIMARY COLOUR	BM - OC 62 - BABY'S BREATH
SECONDARY COLOUR	BM - HC 168 - CHELSEA GRAY
ACCENT	SMOKED BIRCH (METAL SIDING)
STONE	ELDERADO STONE - PEBBLE BEACH
WINDOW JAMB/SASH	BLACK
FASCIA/TRIM BOARD	BM - OC 62 - BABY'S BREATH
ROOFING (SLOPED)	LAMINATED ASPHALT SHINGLES (GRAY)
ROOFING (FLAT)	S.B.S TORCH-ON ROOFING MEMBRANE

vdl victoria
design group

#103 - 891 ATREE AVENUE
 VICTORIA, B.C.
 V9B 0A6
 P. 250.382.7374
 F. 250.382.7364

Date
 Oct. 15, 2021

Project Address
 2772 Vantilberg Crescent

Prepared for
 Khalaw Development/
 Akal Capital

Project #
 8459

Scale
 1/4" = 1'-0"

Drawn By
 WGM

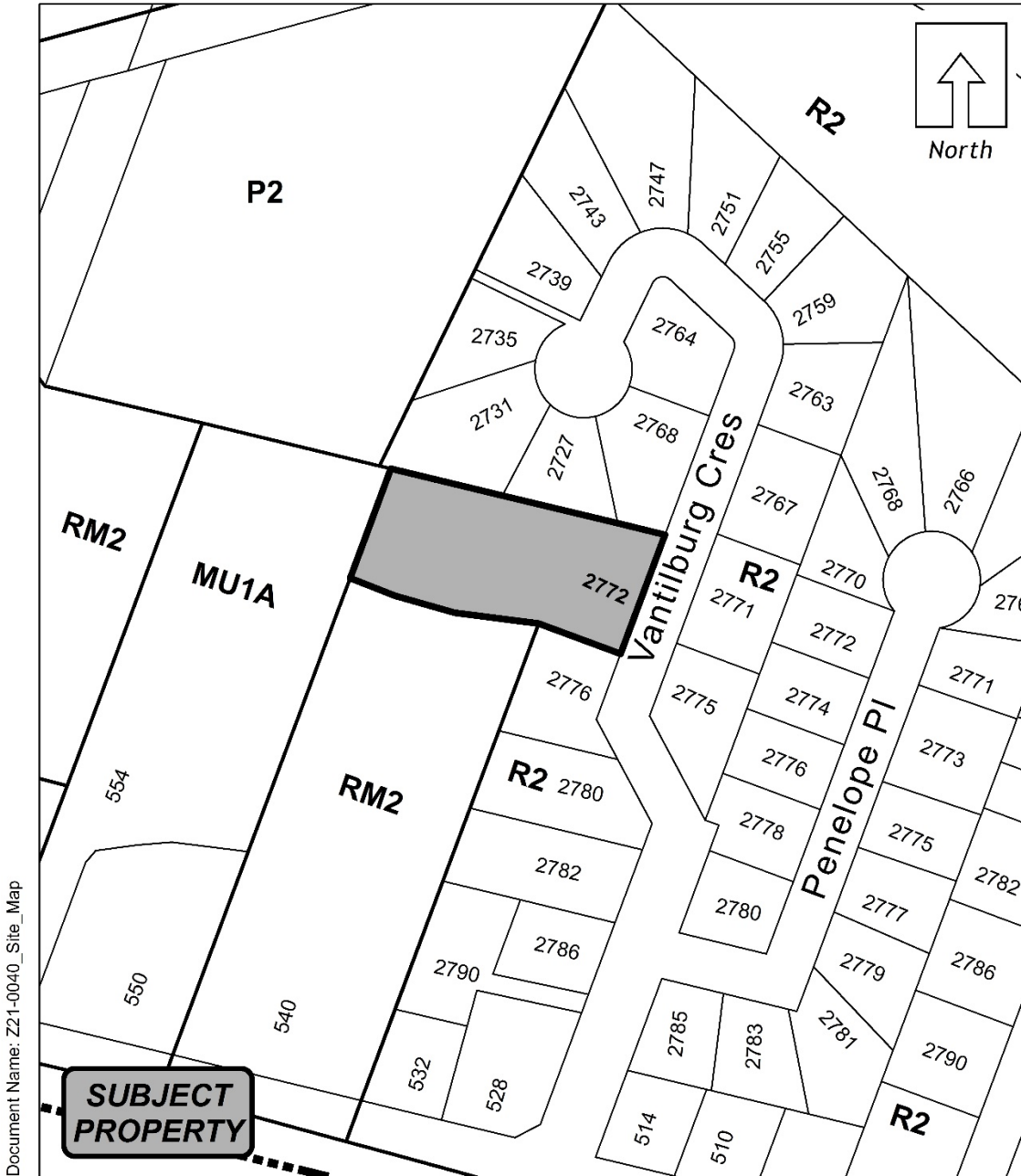
Reviewed By
 WSP

PROPOSED REZONING

2772 VANTILBURG CRESCENT

Appendix C – Site Map

**REZONING BYLAW AMENDMENT
(Z21-0040)
2772 Vantilburg Cres**

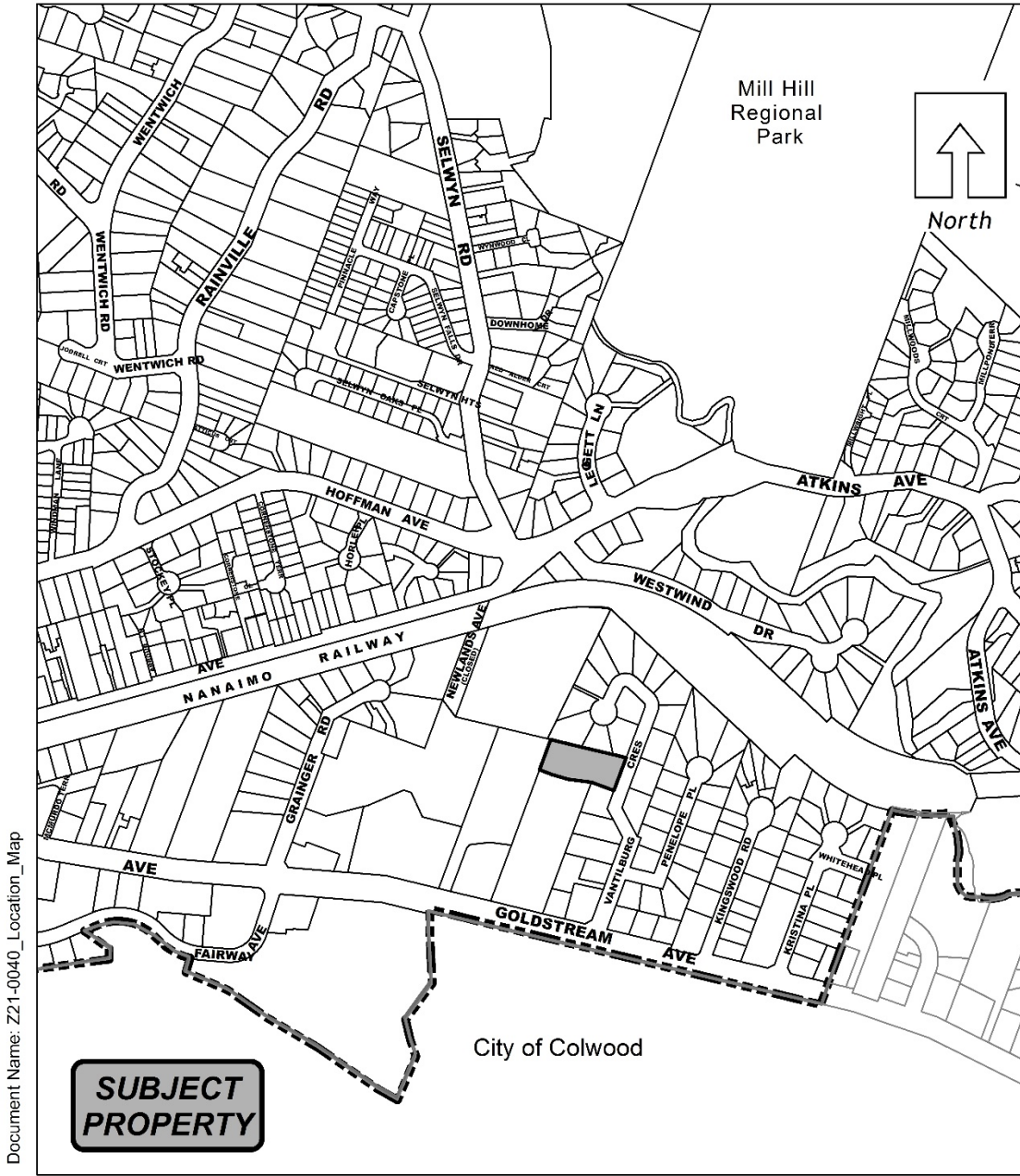


Scale: N.T.S.

Last Revised: 10/21/2021

Appendix D – Location Map

**REZONING BYLAW AMENDMENT
(Z21-0040)
2772 Vantilburg Cres**



**CITY OF LANGFORD
BYLAW NO. 2012**

**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 One- and Two-Family Residential (R2) Zone and adding to City Centre 2 (CC2) Zone the properties legally described as Lot 1, Section 1, Esquimalt District, Plan 44446, PID No. 005-488-800 (2772 Vantilburg Crescent) in the 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)
R2 to CC2	2012	Lot 1, Section 1, Esquimalt District, Plan 44446, PID No. 005-488-800 (2772 Vantilburg Crescent)	a) \$3,800 towards the General Amenity Reserve Fund per residential unit; and b) \$1,000 towards the Affordable Housing Reserve Fund per residential unit.	No

B. This Bylaw may be cited for all purposes as "Langford Zoning Bylaw, Amendment No. 645, (2772 Vantilburg Crescent), Bylaw No. 2012, 2021".

READ A FIRST TIME this day of , 2021.

PUBLIC HEARING held this day of , 2022.

READ A SECOND TIME this day of , 2022.

READ A THIRD TIME this day of , 2022.

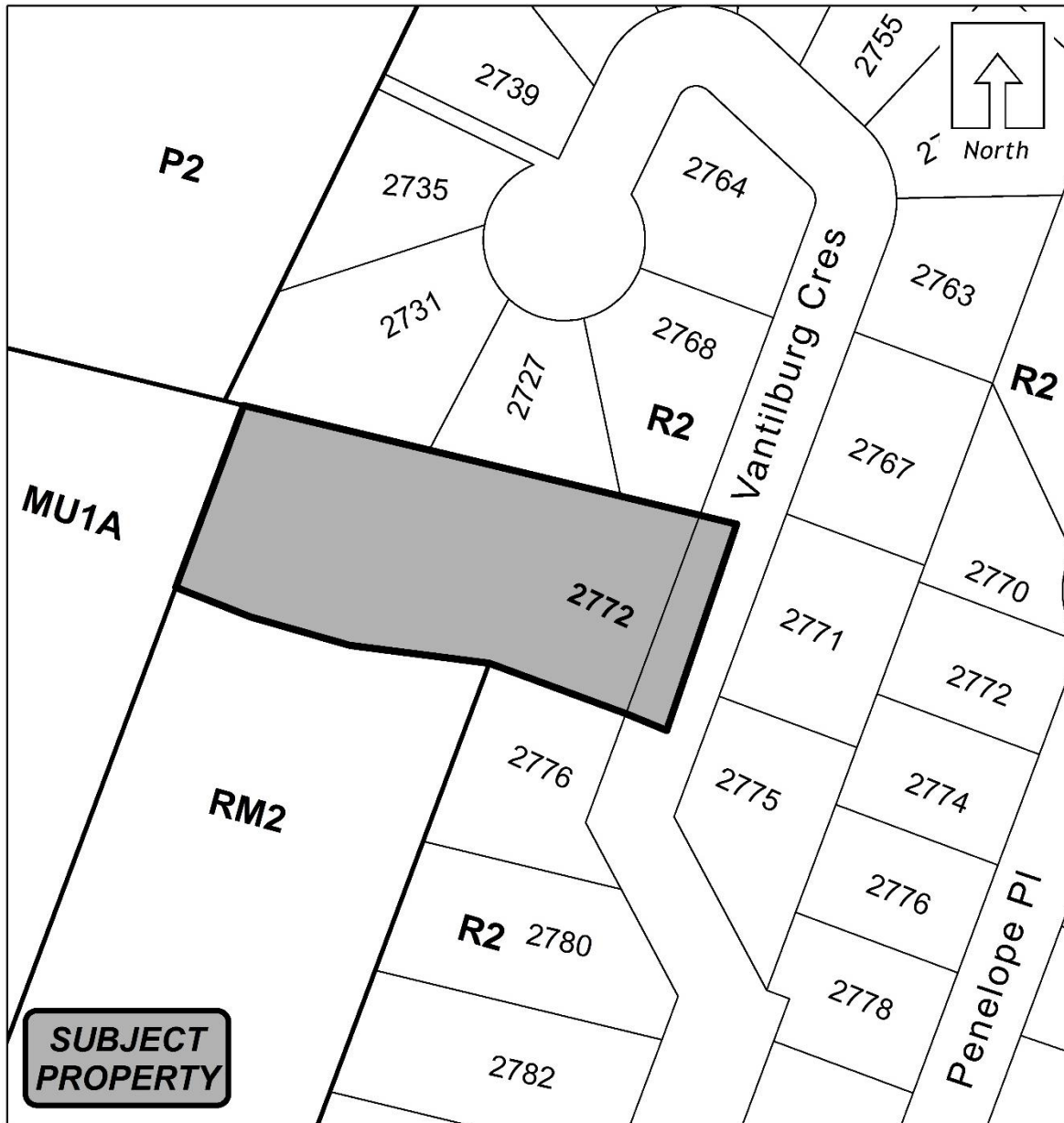
APPROVED BY THE MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE this day of , 2022.

ADOPTED this day of , 2022.

PRESIDING COUNCIL MEMBER

CORPORATE OFFICER

Schedule A



Dear City of Langford Council,

I am writing to express my concerns to the development Z21-0040, the proposed rezoning at 2772 Vantilburg Cres. Rezoning from the current R2 to CC2 right in the center of an area that is primarily only R2 will have considerable collateral effects on our neighbourhood.

Traffic and safety of pedestrians are major areas of concern. Traffic jams west of Vantilburg is already at an all time high in the Langford City Centre. A multi-family dwelling townhouse will make the traffic on this residential street worse. While the traffic may be greater on average, the local neighborhood traffic will disproportionately surge during morning and afternoon school hours, causing traffic issues during critical times for the existing Vantilburg/Ponelope neighborhoods. The traffic surge during morning rush hours will also negatively impact safety for children, since students walk to school in the mornings, to Savory Elementary at the end of the street. In general, the area traffic is continuing to increase, and heavy traffic is already common at times from Goldstream past Vantilburg Cres and beyond during peak traffic times. With the proposed townhouse complex there will not be enough room for extra vehicles within the proposed site and they will certainly spill out onto Vantilburg and Penelope causing safety concerns with how any emergency vehicles, especially firetrucks will be able to navigate an overcrowded narrow street.

Schools in the area are already reported at overcapacity, and the council should not approve multi-family dwellings that creates or exacerbates a situation that will cause school concurrency to fail for this proposal and/or other approved plans. The SD 62 is scheduled to open another elementary school in September 2022. This will have no impact on the current Savory Elementary Catchment (see attachment enclosed.). This school is already at a max capacity. The concern as residents is that when the new development happened across the street from Happy Valley Elementary that school was already at capacity and children who should be able to walk across the street to the school were unable to attend. Savory Elementary is currently the last school in the district for funding and has no foreseeable funding for expansion, accommodation to classroom sizes, and learning tools to enhance the child's educational experience. This new multi-home zoning change will put an already stressed school over the edge and our children (the residents who pay the taxes) will fall behind. The city just approved another 6 story condo building in which the children who reside here will attend Savory Elementary when complete, providing there is room.

Wildlife has been observed in the area, and any development will destroy their habitat. Any planned development of the property should consider the continuing impact to local wildlife habitat. We currently have a family of ravens, and horned owl who has resided in this subject property of 2772 for at least the past 12 years. These birds of prey are important on our eco system. Also there will be an impact with the displacement of the ground water that runs through and under this property. Displacing this water will for sure damage three of the surrounding properties. There are only shallow ditches and not a storm system to manage rain and water run off.

Property values are likely to go down in the area if multi-family apartments or condominiums are built. Multi family dwellings are inconsistent with the neighborhoods in this area. With a greater density we can be certain of an increase in crime in our quiet neighborhood. The fact that our local RCMP are already reaching their limits with manpower and our local volunteer fire department cannot meet with the provincial guidelines for minimal requirements is definitely a major issue. It is quite obvious that our infrastructure is very far behind the overwhelming rate of development in the Westshore area.

We received notice of this hearing on Monday the 6th of December. The postage mark on the letter from the city of Langford is marked 30th of November. A very unacceptable and extremely short notice to reply and consider this proposed rezoning. I stress the lack of notice and preparation we had on our side to discuss this matter that is very concerning to us. I strongly urge you to consider the collateral effects the proposed rezoning, and from recent meetings and discussions with my neighbors, I know my opinions are shared by many.

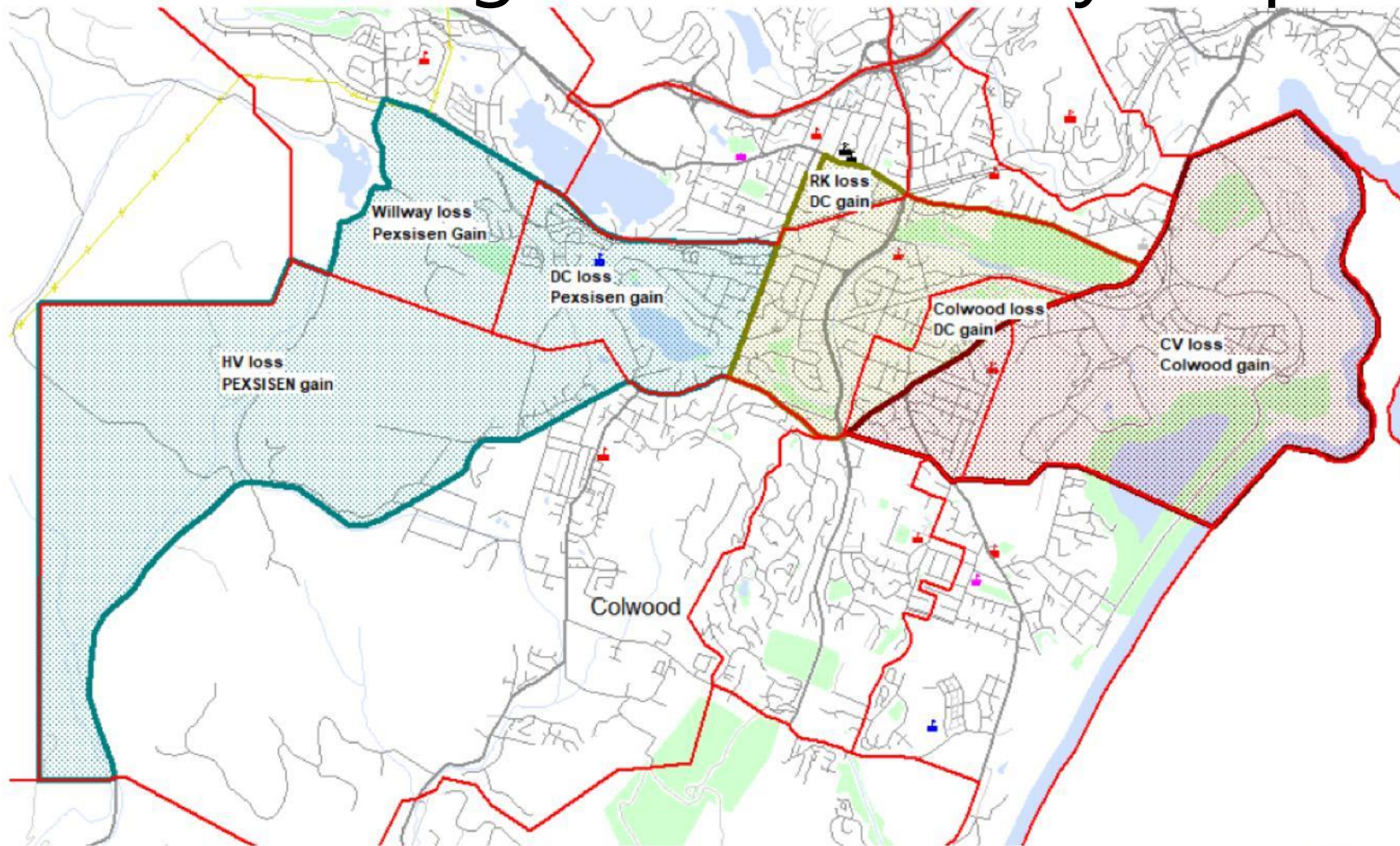
Thank you for your continued service and support of our communities.

Best regards,

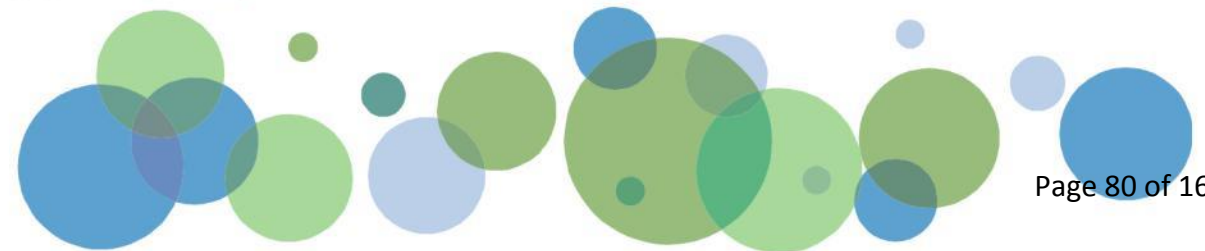
James Kilpatrick and Amalia Eaton

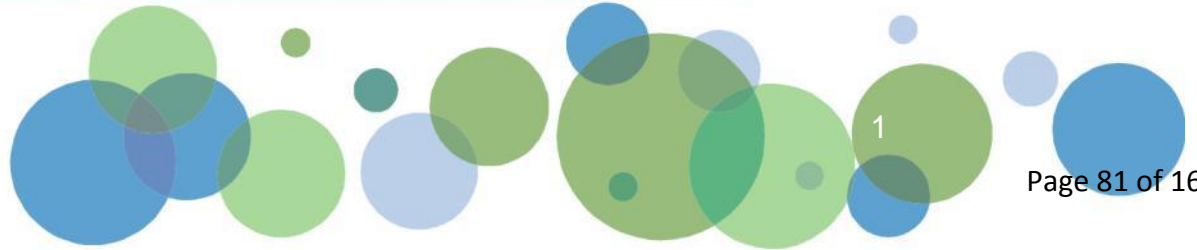
2731 Vantilburg Cres.

Regular Elementary Map



- Elementary School
- Middle School
- Secondary School
- Alternate School





Changes for September 2022

Elementary

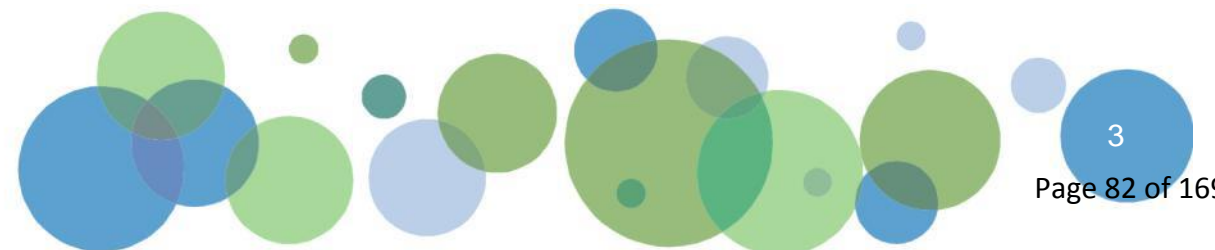
- Adjusted boundaries for Happy Valley, Crystal View, Willway, Ruth King, David Cameron and Colwood.

Middle

- Adjusted boundaries and transition schools for Dunsmuir and Spencer

Secondary

- Continue with transitioning French Immersion program at Ecole John Stubbs Middle to Royal Bay
Secondary



MIDDLE SCHOOL ALIGNMENT

Spencer
Lakewood
Millstream (English)
Ruth King
Savory

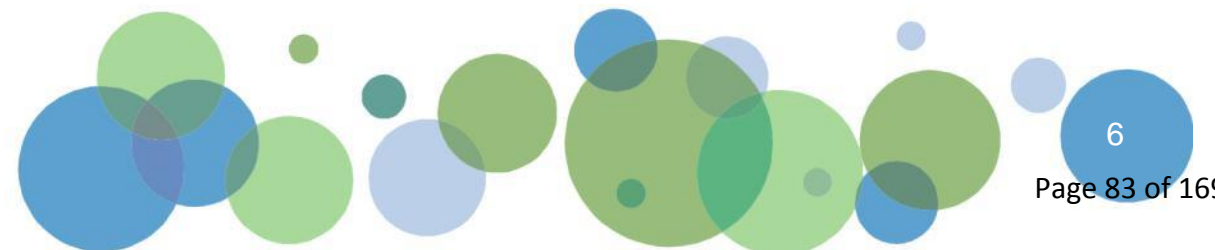
Dunsmuir
Crystal View
Colwood
Sangster
Wishart
Hans Helgesen

Centre Mountain Lellum
Pexsisen
Willway
Happy Valley
David Cameron

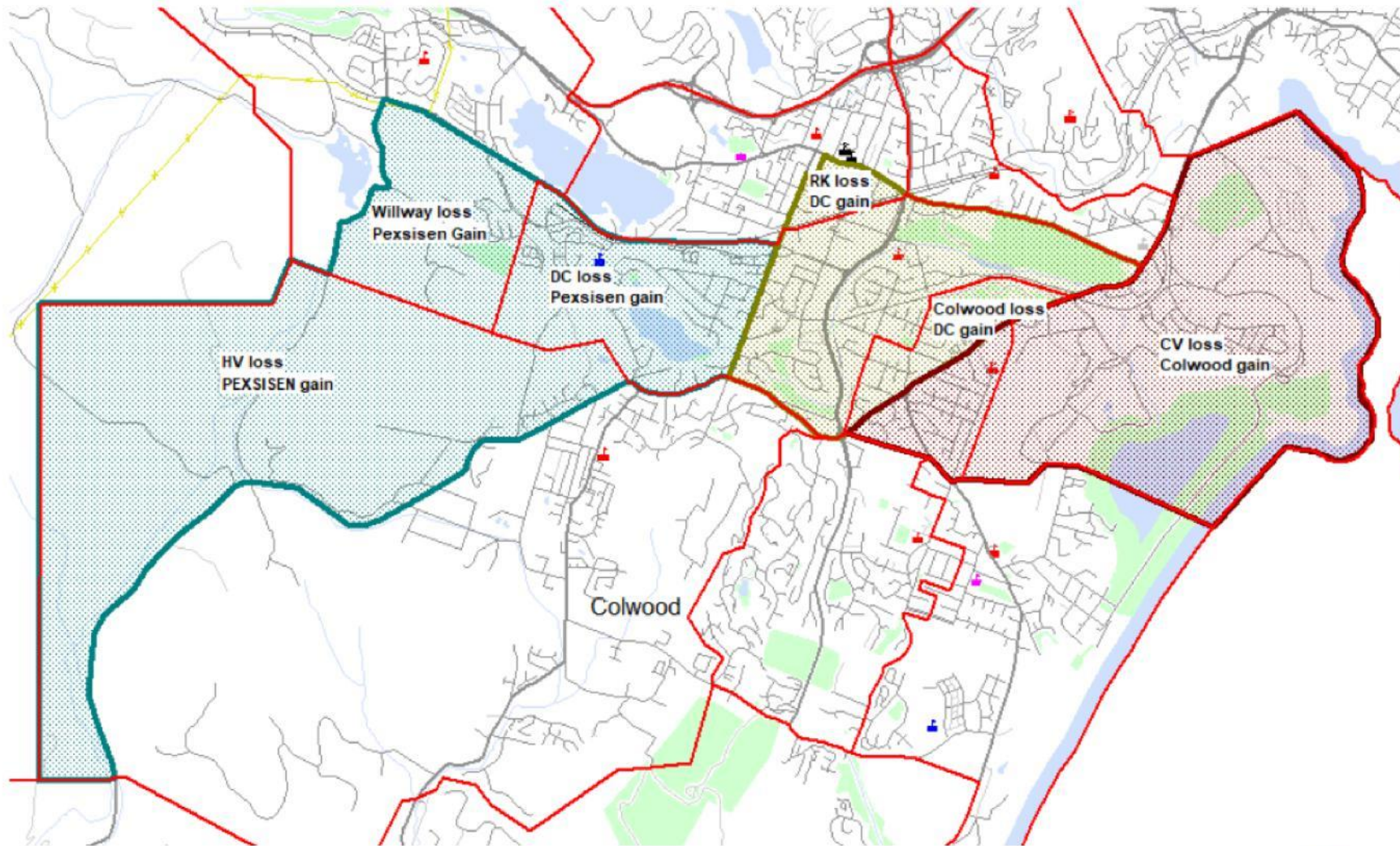
SECONDARY SCHOOL ALIGNMENT





Belmont
Spencer
Centre Mountain Lellum

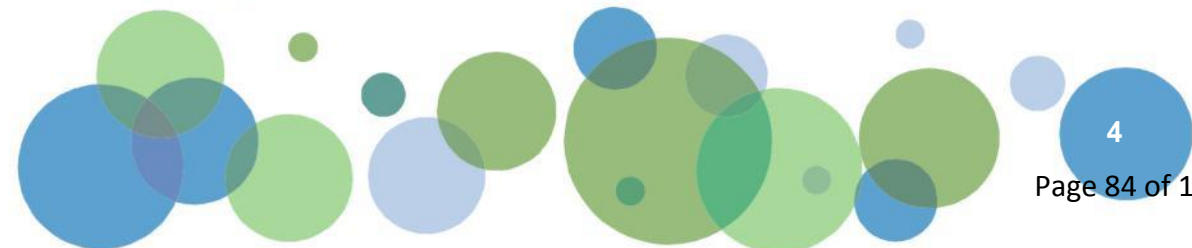
Royal Bay
Dunsmuir
Ecole John Stubbs Memorial Middle



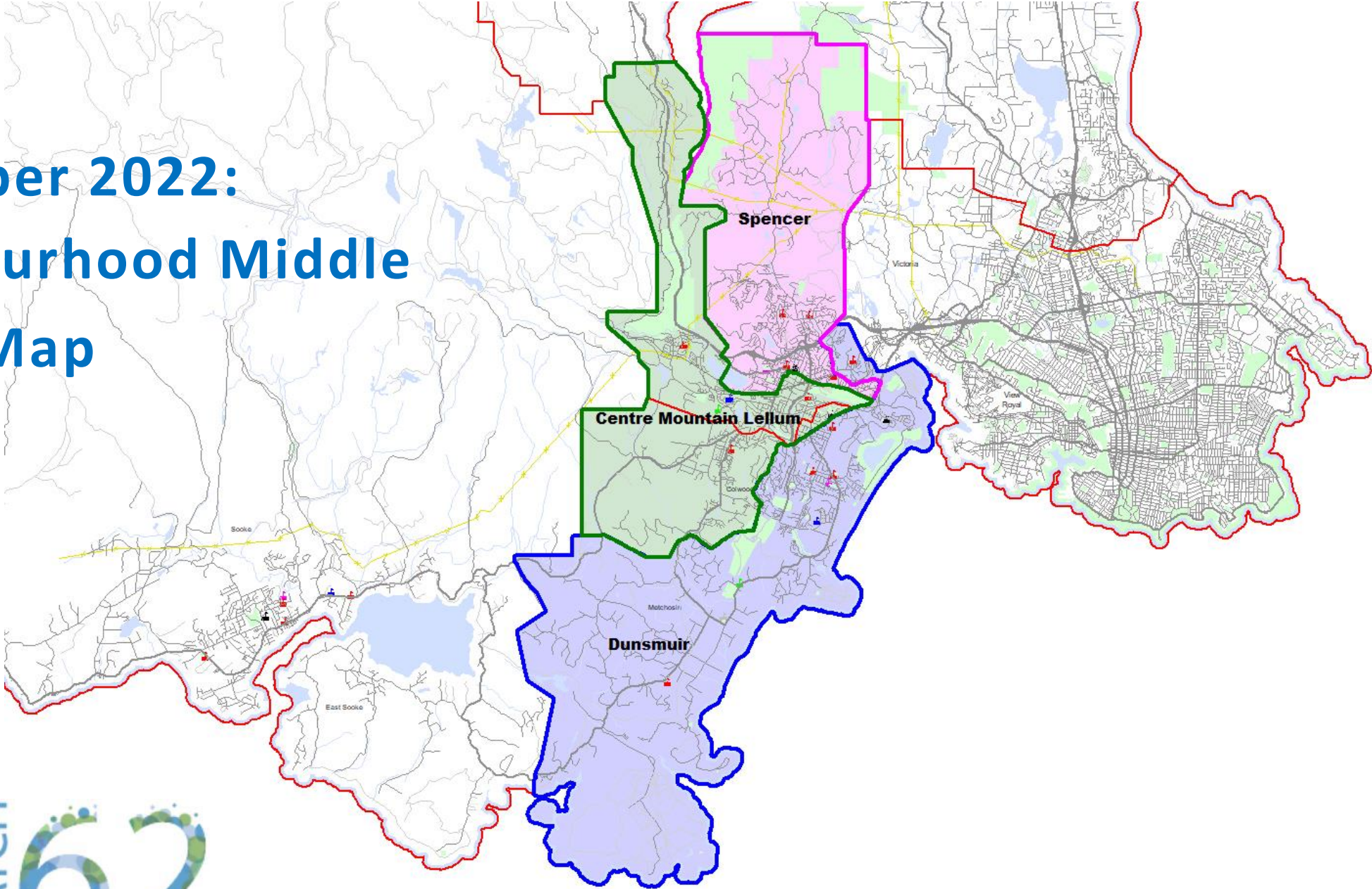
September 2022: Neighbourhood Elementary Map



-  Elementary School
-  Middle School
-  Secondary School
-  Alternate School



September 2022: Neighbourhood Middle School Map



Trina Cruikshank

From: andrew haws [REDACTED]
Sent: December 6, 2021 8:52 PM
To: Langford Planning General Mailbox
Subject: Regarding Zoning Amendment 2772 Vantilburg Crescent

To whom it may concern,

We are writing in regards to the notice that we received on Friday, December 3rd concerning the proposed rezoning of 2772 Vantilburg Cres. We own 2755 Vantilburg Crescent and have several concerns that we would like addressed as this process moves forward.

Our first concern is that we do not feel that adequate notice was given for neighbours who will be directly affected should this proposal go through. Getting a notice only a few days before submissions are expected is not enough time to adequately research and prepare for something that has a potential negative effect on one's neighbourhood and so my first request is that the committee give more time for people to respond.

Secondly, I am concerned about the type of zoning proposed. The site in question is currently a single-family dwelling and the neighbourhood is a 100% residential. So why a townhouse complex is being proposed when there is no justification based on the current make-up of the neighbourhood is first and foremost something that needs to be addressed. We know most of the residents close to our home and all want to preserve the character and quality of our neighbourhood. Of even greater concern is the fact that the proposed new zoning does not even keep with the residential nature of neighbourhood in that it is CC2 not (as would be expected if we were simply getting a small pocket of townhomes) RT.

Thirdly, I am concerned that what is proposed will add more families to a school area that is already at capacity. From what I have been told, Savoury School is at capacity for students and none of these students will be rezoned to different catchments when new schools are built in the Westshore. How then can we justify adding family homes when we do not have the facilities to service them?

[REDACTED] I have a great deal of concern about how adding more density to an already small street will add to danger for the many families who live and have children who play in this area. As it already stands, we see a great deal of extra traffic due to the growth of density as more families use Savoury School's grounds. Adding higher density housing directly on Vantilburg when our street is already tight will create an additional risk to children that our street is not built for.

Thank you for taking time to consider our concerns and we look forward to having them addressed on December 13th.

Sincerely,

Andrew and Shannon Haws
2755 Vantilburg Crescent

Trina Cruikshank

From: Caitlin Little [REDACTED]
Sent: December 6, 2021 9:23 PM
To: Langford Planning General Mailbox
Subject: Zoning Amendment Concerns file Z21-0040 2772 Vantilburg Crescent

Comments for consideration at December 13 2021 meeting from Caitlin and Alex Little of 2786 Vantilburg Crescent, Victoria BC, V9B 3K4

Thank you for your consideration of the following concerns regarding the proposal to re-zone 2772 Vantilburg Crescent from R2 to CC2 “to allow for the development of a townhouse complex” as is stated in the meeting notice.

The developer who owns this property has expressed interest in building condo towers rather than Townhouses in the past. I would ask that the developer request the correct zoning for the proposed use - RT1 or RT2. It is not difficult to predict what the developer will build if granted the CC2 zoning.

Please protect the existing residents of Vantilburg Crescent and the surrounding streets by approving the appropriate use, RT1 or RT2 rather than giving a developer free reign to build whatever they can fiscally manage.

We are not a neighbourhood that opposes development - we are home owners who welcome more housing options, but assert that a condo towering above a residential home does not respect the existing landscape of Langford and instead creates an embarrassing streetscape lacking planning and vision.

Approving the CC2 zoning sets a dangerous precedent for others and contributes to the growing disdain residents feel toward the city of Langford due to the seemingly negligent processes displayed at Danbrook one among other projects. I urge you to work with residents who are open to development but wish to retain some semblance of a home within Langford. We too are Langford.

Thank you for your time.

Caitlin and Alex Little
[REDACTED]
2786 Vantilburg Crescent
Victoria, BC
V9B3K4

Trina Cruikshank

From: George Montebello [REDACTED]
Sent: December 6, 2021 9:35 PM
To: Langford Planning General Mailbox
Cc: George
Subject: File number Z21-0040

December 6, 2021

Planning, Zoning and Affordable Housing Committee

RE: File Z21-0040
2772 Vantilburg Cres.

A lot of the residents of the Vantilburg area have been here for 15 years or more and bought here for the quiet rural setting to raise their families. Recently we have seen another influx of young families buying here to raise a family in their "forever homes". The impact on the community over the proposed development will create stress and possible hardship for these families. We have worries about increased traffic, noise, and the safety of [REDACTED] in this now peaceful neighborhood.

The meeting notice we received in the mail only came on Friday. To be expected to come together as neighbors and submit our thoughts on this proposed development by Tuesday at noon is an unacceptable timeline. The residents that I have spoken to have no desire to have this project stuck right smack in the middle of our quiet street. Let's continue to develop the downtown core and main thoroughfares before we destroy the quiet neighborhoods around them.

Vantilburg Cres. is a community with narrow streets and no sidewalks where children and families walk on the street and say hello to each other as kids play street hockey and ride their bikes. To allow development here without insuring the safety of all its residents would be wrong. With just having the extra traffic from school pick up and drop off during the day can be challenging as some of these drivers speed and don't realize the risk they are taking with their recklessness. I have witnessed many close calls involving vehicles and pedestrians from my front window. I have asked for traffic calming measures for safety, but was denied, so what does that say about the city's priorities to keep its residents safe?

Why is this Zoning amendment proposal for CC2 ? The proposed townhouse development only requires RT1 or RT2 designation. Putting options out there for a developer to change their proposal to include a 4 story condo building in a small residential neighborhood is not necessary at all. There is no city sewer even on the street. I do not agree with this proposed change to the zoning from R2 to CC2 and I get the same feeling back from my neighbors I have spoken with.

I understand that the City of Langford needs to grow and prosper. Some of the other Langford areas that I have seen developed in my [REDACTED] living here, have been ripe for development due to either the condition of the homes or of their proximity to City hall and the downtown core. If you look down our street, you will see a community of proud home owners who care about their neighborhood and the people living in it. This is why we moved here.....

Sincerely;

George Montebello
2767 Vantilburg Cres.

Trina Cruikshank

From: Gerry Willner [REDACTED]
Sent: December 6, 2021 9:43 PM
To: Langford Planning General Mailbox
Cc: [REDACTED]
Subject: Proposed rezoning of 2772 Vantilburg

To Planning Department at City of Langford,

I am writing to you today regarding the Meeting notice I received on Saturday Dec 4th, 2021. The timeline of receiving this notice with a due date 3 days later to submit my correspondence is not sufficient.

This has not given me enough time to meet with neighbors being that we are currently in a pandemic.

[REDACTED] I moved to 2774 Penelope Place for the quiet family neighborhood life. We would like to keep our privacy and easy going living.

Keeping the traffic down and having the neighborhood children attend Savory Elementary and being able to safely walk to school each day is of vital importance.

Savory Elementary is currently full so rezoning 2772 Vantilburg will only draw more families to the neighborhood with no vacancy at the local school.

We live on a cul-de-sac which only has one way in and one way out. It is already busy with ample cars trying to get in and out onto Goldstream Avenue. The addition of further housing in this closed neighborhood will only increase traffic to an already dense enough area.

We are against the property at 2772 Vantilburg being turned into a condo development however can support a 4 townhouse complex.

We have significant concerns regarding sitting water at 2772 Vantilburg and how that will be dealt with and drained without it affecting numerous homes on the street.

Why is this residential area being rezoned as a CC2 when the proposal is for a townhouse complex?

Gerry Wilner
2774 Penelope Place
[REDACTED]

Trina Cruikshank

From: Gord & Helen Bradley [REDACTED]
Sent: December 6, 2021 11:37 PM
To: Langford Planning General Mailbox
Subject: proposed rezoning of 2772 Vantilburg Crescent

We have lived and paid taxes here at 2763 Vantilburg Crescent for at least [REDACTED].

We are absolutely totally opposed to the rezoning of 2772 Vantilburg Crescent to CC2 (City Centre 2)

That zoning is completely unnecessary for the proposed townhouse application.

We have corresponded with the developer directly and he has stated his interest is only in developing 5 townhouses within that property.

The CC2 zoning allows much more than that as you well know. This is an area of settled families with young children and a deep respect for their fellow neighbours.

We have grave concerns about traffic, flooding, children's safety, insufficient policing., insufficient parking, fire concerns including insufficient manpower in the firehall(s).

Both Vantilburg and Penelope are one way streets with minimal turn around provisions and virtually no way to provide a through street. The excessive traffic that would occur is definitely going to impede what is already a challenge and a safety concern of the parents of the little kids that attend the school at this time.

Last night I attended a meeting with my fellow neighbours and discussed at length this proposal and everyone of them is absolutely against this rezoning. Each and everyone has submitted a response within the ridiculous time frame presented to us all, While we respect how Langford has progressed from "Dogpatch" to a city we can be proud of it is time to stop ignoring the very people that have always supported you in the past. You still have options for increased housing developments in Langford but please pay some respect to your present population.

They voted you in, supported you in every election and continue to make every effort to support local businesses and neighbours

Respectfully,

Helen & Gordon Bradley
2763 Vantilburg Crescent
Langford B.C.
V9B-3K5

Trina Cruikshank

From: james [REDACTED]
Sent: December 6, 2021 9:09 PM
To: Langford Planning General Mailbox
Subject: Zoning amendment meeting

To Whom it may concern;

City of Langford
Zoning Amendment
File Z21-0040
Subject property;
2772 Vantilburg Cres
Victoria BC V9B 3K5

We have the following concerns;

- Concerns of having the area rezoned to a CC2 (City Centre 2) especially since we are in a residential R2 neighbourhood (One and two family residential) -Road is designated access road to Savory Elementary school -Safety of the children accessing the school with the heavy traffic flow.
- Infrastructure can't handle what we have now.

Thank you and I look forward to the meeting on Dec 13, 2021.

James and Leigha Lean
2743 Vantilburg Cres
Victoria BC V9B 3K5
[REDACTED]

Trina Cruikshank

From: James McKenzie [REDACTED]
Sent: December 7, 2021 8:26 AM
To: Langford Planning General Mailbox
Subject: Zoning Amendment of 2772 Vantilburg Crescent

December 6, 2021 -- James Stewart McKenzie and Carol Ann McKenzie of 2768 Vantilburg Crescent

We purchased and took possession of the above property in [REDACTED]. The property had covenants attached which stated the restrictions of the property owner for the subdivision.

My husband and I, also the family, were very impressed by the environment of the immediate vicinity i.e. big TIMBER and old growth flora. Since we moved here, quite a few of the big Douglas Fir and other trees have been removed from the neighborhood to the detriment of the natural wildlife.

The next door property (2772 Vantilburg Crescent) [REDACTED] developed it more like a park with a pond which attracted wild life. It has been hard to watch it being prepared for a housing development.

We do not feel that we need more housing which will increase the number of vehicles on a street already congested due to it being an access to Savory School.

We really don't like the direction Langford is going with such density of high rise buildings. There doesn't seem to be a master plan in place. Quiet single family home neighborhoods are seeing these developments get the approval with little thought to the community's feelings.

The road infrastructure already doesn't seem to adequately support the number of people and vehicles in the area.

How will a volunteer fire department be able to support all the new density? Will the police department be increased to enable adequate surveillance?

Also, it seems already to be a challenge for the Municipality of Langford to keep up with the construction of schools required to accommodate the possible enrollment of more students.

We really do not want this development in our neighborhood!!!

The time frame given the home owners in the neighborhood to respond to this rezoning application and future development (especially during the Christmas holiday season) seems rather short. The company sign has been on the property since summer.

Trina Cruikshank

From: Jennifer Ridley [REDACTED]
Sent: December 6, 2021 8:12 PM
To: Langford Planning General Mailbox
Cc: [REDACTED]
Subject: Resining Vantilburg Crescent Penelope Place Langford B.C.

To the planning committee of the city of Langford I Jennifer Ridley and Clinton Richards property owners of 2783 Penelope Place V9B3K3 [REDACTED] have mutual neighbourhood concerns about the development of townhouses or high rises in our residential streets. The covenant of our property pertains to only single family unit homes, we have invested [REDACTED] into a mortgage [REDACTED]. We are not okay with the streets becoming busy with traffic parking being monopolized by multiple unit development and high rises becoming our backyards. Also concerns about the depreciation of our homes if the streets are developed into city centre development and we lose the sanctity and privacy of a residential neighborhood. We might consider residential townhomes only with proper communication and planning given to the current neighborhood? The short notice of the letter provided advising of this prospective development and requiring a prompt response is not adequate. We as a community have had to gather on the street to meet to speak about our concerns so that we may be presented in a matter that affects our homes and for some with short notice may not be able to respond as they were not aware of the letter or even received it. We ask that there be a meeting to discuss any future planning that we may attend and voice our concerns or at least be present via zoom.

Yours Sincerely,

Jennifer Ridley and Clinton Richards

Sent from my iPhone

Trina Cruikshank

From: Caly Williams [REDACTED]
Sent: December 6, 2021 7:59 PM
To: Langford Planning General Mailbox
Subject: Zoning Amendment Proposal for 2772 Vantilburg Crescent

To Whom It May Concern

We are the home owners of 2775 Vantilburg and we strongly oppose this zoning amendment. First thing we have an issue with was the short notice on this, we received the letter on Sun Dec 5th and had to respond by Tuesday Dec 7th. Second thing is that the proposed zoning of CC2 is for commercial zoning and not residential. Third the street is posted as a school zone and with influx of traffic and potential parking overflow, due to the street being narrow, we are worried about the safety of [REDACTED] and pedestrians in the neighbourhood. Fourth our street already has a drainage and flooding issue and development on this property may exacerbate that issue. Thank you for hearing our concerns.

Jeremy Nazaruk
Caly Williams

Sent from my Galaxy

Trina Cruikshank

From: Jo-Anne Ford [REDACTED]
Sent: December 7, 2021 8:39 AM
To: Langford Planning General Mailbox
Subject: File Z21-0040 / subject property 2772 Vantilburg crescent

In Regards to rezoning of 2772 Vantilburg crest. We understand that Landford city council is aware of the drainage situation and would just like to ensure that the water / drainage issue at this property be fully resolved prior to any development taking place.

Thank you.

.J Ford
2776 Vantilburg Crescent

Trina Cruikshank

From: kory amanda haanen [REDACTED]
Sent: December 6, 2021 10:13 PM
To: Langford Planning General Mailbox
Cc: [REDACTED]
Subject: Formal Objection of the rezoning and development of 2772 Vantilburg Cres.

Dear City Council,

Please accept this as our formal objection against the rezoning of 2772 Vantilburg Crescent.

We have several concerns including but not limited to: damage to surrounding areas with the water table on 2772, the already at capacity neighbourhood school, increase in traffic leading to a bigger strain to community resources including emergency responders, the inconsiderate short notice of this development, and the CC2 rezone proposal.

There is an extremely high water table located on the property of 2772 that accumulates rain and ground water from the surrounding areas at higher elevation. This water then runs through multiple properties including ours directly across the road on Vantilburg Crescent. We have already experienced flooding to our home due to the inadequate system that is in place. The multiple surrounding properties have pumps already operating around the clock to move water further along and away from our homes. There would be severe and catastrophic impact to multiple properties including ours, if this issue is not addressed properly. If not dealt with appropriately there will be damages to multiple homes and in turn lead to an increase in insurance claims and therefore increase taxes.

We have contacted SD62 regarding the already at capacity small school located at the end of our culdesac. The new school being built in the area will not solve this issue as the surrounding Savory school catchment is not affected by this addition. Adding more children to this residential area makes no sense considering the school is already at capacity and has no way of expanding due to the coven on the land.

This entire subdivision of Vantilburg Crescent and Penelope Place has a coven in place and should be limited to single family dwellings.

The city is proposing to rezone 2772 Vantilburg cres. From R2 to CC2 zoning. We strongly disagree with this decision. They are proposing to develop townhomes on the property which would only require an RT zone not a CC2. We especially don't want to see the CC2 zoning go through as this is a beautiful family oriented quiet street that does not want any commercial buildings on this residential street. We absolutely do not want to have the approval go through for the CC2 zoning.

We are opposed to the increased traffic and increased density of people which then leads to more crime and creates parking issues for the surrounding homes. This increased density also leads to a strain on the already stretched thin emergency responders. There is already a shortage in this community and they are not able to provide the level of service that is required.

If this rezoning does go through for the proposed townhomes, we would like to see ample parking provided on the property of 2772 so the surrounding area is not over crowded by vehicles lining the streets. We would like to see a height restriction in place to fit in with the surrounding homes. No taller than the tallest house already on the street.

Thank you for your time and consideration with this objection.

Kind regards,

Kory and Amanda Haanen
2771 Vantilburg Crescent



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Trina Cruikshank

From: Kristi Falconer [REDACTED]
Sent: December 6, 2021 10:09 PM
To: Langford Planning General Mailbox
Cc: [REDACTED]
Subject: Rezoning Meeting Notice for 2777 Vantilburg

To Planning Department - City of Langford,

I am writing to indicate that I am NOT in favor of the rezoning request of 2772 Vantilburg from an R2 to CC2.

I purchased my home at 2777 Penelope Place [REDACTED]

I purchased this particular home because it was in a quiet, friendly and safe neighborhood on small cul-de-sac.

[REDACTED] knowing all the neighbors on our street and many on Vantilburg.

This is a true family neighborhood where my son can easily go to any neighbor in the case of an emergency which is something I greatly value in today's times.

[REDACTED]
The walk to school was always safe and neighborly with everyone greeting each other as they passed.

With the recent new building at 550 Goldstream there has been a significant change and effect on our cul de sac.

There is a lot more foot traffic, more cars racing up and down the roads not realizing it is a one way in and one way out neighborhood.

There has been an increase in crime.

I am not in favor of supporting the approval of a condo development which is the obvious reason for requesting a CCW zoning on the property at 2772 Vantilburg.

I am however willing to support a townhouse 4plex.

The building at Kristina Place and Goldstream is already significantly altering the neighborhood and the privacy we all value is being taken from us by building a multi-story complex at this location.

It is already difficult to get onto Goldstream Avenue at any time of day with a vehicle and with this new building at Kristina Place and Goldstream this will only become more difficult.

Adding onto this, the proposal of CC2 zoning building plunked in the middle of single family residences is only going to increase the vehicle traffic.

I would like to stay in Langford however am already feeling like the City is squeezing out single family homes in favor of multi-story buildings.

Consideration of ONLY approving this piece of property at 2772 Vantilburg to a townhouse with a maximum of 4 units is something that I would consider voting in favor of.

I will NOT vote for a CC2 rezoning which would allow for a multi-story condominium complex.

I also have concerns about the sitting water on the property at 2772 Vantilburg as it has never been effectively dealt with. I am concerned how it will affect other homes on Vantilburg if not dealt with properly during the demolition and construction phases.

I am frustrated and annoyed at the disrespect that has been put upon myself and my neighbors by only providing 3 days notice in which to submit correspondence prior to this meeting on Dec 13th.

This is unacceptable, we have not had time to meet and form an appropriate response for consideration.

Kristi Falconer
2777 Penelope Place
[REDACTED]

model 31

From: Lorraine& Allen TurnerTurner [REDACTED]
Sent: December 6, 2021 10:24 PM
To: [REDACTED]
Subject: Langford rezoning

Gordon Bradley please include my protest against the rezoning of :VanTilburg Cres. [REDACTED] I have lived on VanTilburg Cres. for [REDACTED]. Please do not approve the rezoning of our neighborhood to satisfy developers who have little regard for the ecology and planning of the crescent.

Thank you Lorraine Turner 2735 Vantilburg Cres.

Trina Cruikshank

From: Mark Mares [REDACTED]
Sent: December 7, 2021 11:05 AM
To: Langford Planning General Mailbox
Subject: Meeting notice for 2772 Vantilburg Crescent.

Hello,

My name is Mark Mares, and I own/reside at 2790 Vantilburg Crescent with my wife Colleen [REDACTED]

As home owners at this address for over [REDACTED], this letter is intended to express our concerns with the proposed changes in zoning to 2772 Vantilburg Crescent. It is our understanding that the developers are seeking to tear down the home on this property and build a townhouse complex in its place.

The current zoning in our neighbourhood is R2, and the proposed development is seeking a CC2 zoning. We are very much opposed to the pursuit of this much higher than necessary level zoning of CC2 in the middle of our currently quiet and rural neighbourhood. The allowance of CC2 zoning would create an unrestricted avenue to expand upon the current townhouse proposal, and bring unwelcome additional traffic and disruption to our family-oriented dead-end street. This proposal warrants a maximum zoning target of RT, intended for townhouses only.

The addition of high-density housing at this location will place a strain on our community's amenities, including an already maximum capacity Savory Elementary school at the end of the street. Our city's fire department is already failing to meet requirements for our population density.

It is also my understanding that this proposed townhouse complex does not have a plan in place for adequate parking for their residents, which will result in extra vehicles being forced to park on the street.

This street has a high volume of pedestrian traffic, especially younger children before, during and after school hours. Additional vehicle traffic will compromise pedestrian safety, especially if they have to navigate to the center of the street to get around even more parked cars while avoiding moving vehicles.

I urge the Planning, Zoning and Affordable Housing Committee to please take note of our points and concerns, both as individual home owners and as an entire neighbourhood community.

These are very valid concerns, and we appreciate your consideration of this matter as a whole.

Thank you.

Mark & Colleen Mares

December 6, 2021

Planning, Zoning, and Affordable Housing Committee
2nd Floor, 877 Goldstream Ave
Langford, BC V9B 2X8

Dear Committee Members,

Re: Zoning Amendment Z21-0040 (2772 Vantilburg Crescent)

I am joining my voice along with other residents of Penelope Place and Vantilburg Crescent to convey that I do not support the rezoning of 2772 Vantilburg Crescent from R2 to CC2 at this time. Many residents have told me they did not receive the notice of the Committee meeting until one or two days prior to the cut-off date for submissions. We are an active and social community here and would want more time to confer and discuss to adequately voice our feelings about this proposal.

I understand that the Official Community Plan allows for increased development in our area within reason, but I am concerned that development without proper planning could lead to

- parking issues on both streets – higher density developments that do not make room for enough parking on site will inevitably overflow onto Vantilburg and Penelope.
- Traffic delays – higher density may lead to an increase in cue length at Goldstream Avenue
- General safety – higher density leading to more traffic and parking on our streets would make for more chances of accidents. This is a popular walking route for school children in our area on their way to Savory School, as well as it being a popular walking route for families.

Above all we residents like the way these streets are currently zoned, and there is a character of neighbourhood that has grown from that zoning. We understand development along the corridor of Goldstream Avenue is inevitable, but please consider leaving our streets zoned for one-and-two family residential.

Thank you for reading this and listening to our concerns.

Sincerely,

Mary-Anne Le Ross

2772 Penelope Place
Langford, BC V9B 3K2

Trina Cruikshank

From: Michelle King [REDACTED]
Sent: December 6, 2021 7:53 PM
To: Langford Planning General Mailbox
Cc: Ralph King
Subject: File Z21-0040 - 2772 Vantilburg Crescent - rezoning

Ralph King
Michelle King
2780 Penelope Place

This email is in response to a letter received Friday, December 3, 2021, regarding File Z21-0040. Several points to note:

1.) late notification.

I do not know what the requirements are for notifying immediate neighbors, but we did not receive notice until Friday Dec 3 and we had to have our response in by Tuesday Dec 7 at noon. This is inadequate to allow us to even begin to understand what is being proposed, let alone being able to put together a response. Such little notice feels like trying to put zoning changes through with as little opposition as possible. I hope that is not the case.

2.) zoning CC2 (City Centre 2)

I am unable to find what this zoning refers to on Langford website, but can see CC1, CC3 and CC5. If these are any indication of what CC2 could mean, then this is not the right zoning for this neighborhood. The letter received Dec 3 states the proposal is for "the development of a townhouse complex". If this is accurate, then have the zoning reflect "RT" for residential townhouse or similar. If we allow CC2 zoning, there is no guarantee that the property, in the middle of single family houses, will be developed as stated. We strongly oppose the high density permitted under the CC zoning.

We will be joining the zoom meeting on Dec 13.

Regards
Michelle King
Ralph King

Dec.6, 2021

To: Planning, Zoning and Affordable Housing Committee

Re: 2772 Vantilburg Crescent: Zoning Amendment Application

My wife and I are owner/residents at 2778 Penelope Place located on the cul-de-sac adjacent to Vantilburg Crescent. We are opposed to this rezoning application as it now stands for a number of reasons:

1. We find that being given such short notice for our neighbourhood to review and respond without adequate information provided and with such a tight response timeline, is unacceptable.
2. This is a quiet RESIDENTIAL neighbourhood with limited street traffic and schoolchildren accessing Savoury Elementary School throughout the year. Traffic on/off Vantilburg and Penelope Place onto Goldstream Avenue is already challenging as Goldstream Avenue is a major arterial highway. Increasing traffic in this limited area will have a negative effect on the neighbourhood.
3. While we understand the momentum to have greater density in the downtown core, this neighbourhood has already been impacted by the past developments along Goldstream and Langford in general. Most of the residents are long term home owners who have chosen to live in a quiet residential area to raise families. We believe more high density in this area will not be conducive to maintaining family oriented lifestyles in a safe, child friendly neighbourhood.
4. We are opposed to this application seeking a "CC2 (City Centre 2)" designation as the current neighbourhood is zoned R2 (Residential). We believe this to be unnecessary as the application proposes the "development of a townhouse complex". The information forwarded to us at the last minute, does not specify how many townhouses are being considered or planned for in the development.
5. It is our understanding that if a limited townhouse development were approved, that the zoning could be "Residential Townhouse" (from "R2") and "CC2 zoning would not be necessary". A limited development would be much more in keeping with the neighbourhood and "CC2" seems to be unnecessary and excessive.
6. Many of the neighbourhood residents have resided here for many years and have binding Covenants included in their Real Estate documents preventing certain uses of their property included as part of the original residential development of the area.
7. It is also our understanding and concern that Savoury Elementary School is at capacity and new future residents could have difficulty enrolling.
8. Family values seem to be under attack in our society and maintaining strong family oriented neighbourhoods is both desirable and important.

Sincerely,

Wayne & Donna Wickett

2778 Penelope Place

Langford, B.C. V9B 3K2



Staff Report to Council

DATE: Monday, January 10, 2022

DEPARTMENT: Planning

SUBJECT: Attainable Home Ownership Program Policy No. POL- 0166-PLAN

BACKGROUND:

At the Regular Council Meeting held October 18th, 2021, staff made a presentation to introduce the new Attainable Home Ownership Program (the Program), which is designed to provide a down payment assistance grant to qualified Langford residents to help them purchase a new 2-bedroom condo in a participating development. This presentation included information regarding the structure of the Program, the qualifying criteria for applicants, the proportion of down payment assistance that would be provided to applicants based on their household income, and specifications for the units to be sold through the Program.

The Program website has been live since October 19th and since this time has had nearly 6,000 views and over 500 people register for updates, indicating strong interest in the Program.

Staff have also received a high volume of inquiries from prospective applicants and potential developer partners seeking more information as well as indicating their support to expand the Program to include additional unit types and price points sooner rather than later.

As the Program will need to be formalized through the creation of a Policy, similar to the existing Affordable Housing Program, Council may wish to consider implementing an expanded range of housing options with the initial Policy. This report outlines the content of the proposed Attainable Home Ownership Program Policy.

COMMENTARY:

Staff have been in discussions with stakeholders to prepare a proposal to expand the Program to include 1-bedroom units, 1-bedroom and den units and 3-bedroom units in addition to the 2-bedroom units originally presented. The suggested minimum unit sizes, maximum sale prices, maximum household income levels, and household composition criteria are summarized in Table 1 below.

Table 1: Suggested Unit and Household Criteria

	1-bedroom	1-bedroom and den	2-bedroom (2 bathroom)	3-bedroom (2 bathroom)
Unit size	525 ft2	580 ft2	750 ft2	900 ft2
Purchase Price	\$399,000	\$425,000	\$450,000	\$499,000
Household Income max	\$115,000	\$115,000	\$125,000	\$135,000
Minimum Household Income to qualify for mortgage (estimate)	\$85,000	\$90,000	\$95,000	\$105,000
Minimum Household composition	Individual	Individual	2-person household, one of which may be a dependant	2-person household, one of which must be a dependant

The “minimum household income” levels to qualify for a mortgage for each purchase price is noted for reference. It is highly advised by mortgage brokers and credit union staff that have been consulted through the development of this program that a “buffer” should be provided between the minimum qualifying income and the maximum household income threshold identified by the criteria in order to ensure that enough people can realistically qualify for the Program to make it successful.

As was outlined in the Housing Needs Report prepared for the City in 2020, housing is considered to be affordable to a household when all housing costs equal less than 30% of the household income. Council may wish to view the range of options presented above through this lens both in terms the proposed purchase prices and household income levels as well as the estimated median income levels of Langford households. Table 2 below includes the **estimated** monthly cost of each unit type, including mortgage payments, taxes, strata fees, insurance, utilities, as well as a breakdown of the percentage of the household income that would be required to cover these costs at both the maximum household income threshold and the estimated minimum household income required for mortgage approval; Table 3 provides the 2019 household income levels for the different Stats Can household types included in the Housing Needs Report as well as an estimate of the 2021 household income levels based on 2% cost of living increases in 2020 and 2021.

Table 2: Affordability Metrics

	1-bedroom (\$399,000)	1-bedroom and den (\$425,000)	2-bedroom (\$450,000)	3-bedroom (\$499,000)
Estimated Monthly Housing Costs	\$2,478.00	\$2,596.00	\$2,709.00	\$2,931.00
Max Household Income per Criteria	\$115,000.00	\$115,000.00	\$125,000.00	\$135,000.00
Monthly Income	\$9,583.33	\$9,583.33	\$10,416.67	\$11,250.00
Total %	26%	27%	26%	26%
Min Household Income To Qualify For Mortgage	\$ 85,000.00	\$ 90,000.00	\$ 95,000.00	\$ 105,000.00
Monthly Income	\$ 7,083.33	\$ 7,500.00	\$ 7,916.67	\$ 8,750.00
Total %	35%	35%	34%	33%

So, the percentage of monthly income required to cover the costs of each housing type are slightly above 30% at the lower end of the income range and slightly less than 30% at the upper range. This helps to reinforce that the proposed purchase prices and income thresholds are hitting the right mark in terms of affordability, or attainability, to residents.

Table 3: Household income (2019):

Household Type	Household Income (2019)	Household Income (2021 estimate)
Couple with Children	\$131,274	\$133,899
Couple without Children	\$102,944	\$107,103
Lone Parent Families	\$62,018	\$64,524
Other-Census Family (typically individuals)	\$53,995	\$56,176
Non-Census Family (typically families with additional persons living with them)	\$146,203	\$152,110

This demonstrates that:

- Couples with Children making the median income fall just within the upper limit of the suggested maximum household income for 3-bedroom units;
- Couples without Children making the median income are in roughly the middle of the range between minimum qualifying income and the suggested maximum household income for the 2-bedroom units and 1-bedroom options;
- Lone Parent Families and individuals making the median income fall below the minimum qualifying income for mortgages at all of the price points, so including these types of households in the Program under the proposed household income thresholds will allow individuals/lone parent families making more than the median income to qualify; and
- Non-census families will not typically pursue condo options as they generally need larger living spaces, and such families making the median income would not qualify based on the maximum household income thresholds.

In addition to these changes, Council could consider expanding the residency component of the qualifying criteria to include members of the Canadian Armed Forces posted in Victoria and members of the RCMP posted in the Westshore, as discussed at previous Council meetings. This would allow members posted as such to qualify if they do not meet the Langford residency requirement, but they would still have to meet the other requirements (maximum household income, etc).

Council may wish to consider all of these factors with regards to the new proposed unit types, purchase prices, household income thresholds, household compositions (i.e. number of people in the household and dependants), and other qualifying criteria and provide direction to staff to draft the Policy, either as proposed or with amendments.

FINANCIAL IMPLICATIONS:

Staff will create a tracking system to monitor qualified applicants and associated information such as their household income and allowable grant. Once the City receives confirmation that an applicant has successfully entered into a purchase and sale agreement with a developer, the tracking system will confirm grant commitments such that the City's overall committed expenditure can be monitored over time and reported to Council. The Policy will be prepared to include a provision that the City review maximum household income levels and maximum purchase price levels on an annual basis. An update on the City's grant commitments can be provided at the same time, such that Council can make any adjustments to the Policy that they feel are appropriate.

Due to the ever-increasing price points of the real estate market, it is very likely that either the “carrot” or the “stick” will be necessary moving forward to gain developer participation. For reference, the 2019 benchmark sales price indicated in the Housing Needs Report for condo units was \$396,800 in comparison to the October 2021 benchmark sales price of \$486,400.

While Council supported a refund of the Amenity Contributions (both General Amenity and Affordable Housing) for each unit sold to a qualified applicant of this Program for the 1365 Goldstream project, the development community indicates that additional incentives will likely be necessary to gain voluntary partners for additional buildings. Council may wish to direct staff to bring forward an amendment to the Affordable Housing and Amenity Contribution Policy that would outline the amenity contribution refunds that Council could consider applying to further incentivize developer participation in the Program.

It's also noted for Council's reference that the housing agreement will also limit the deposit that must be provided by the buyer at the time they enter into the purchase and sale agreement with the developer. These deposits are to secure the contract and are in addition to the funds the buyer will have to come up with to cover their portion of the down payment. The deposit is applied to the purchase price and reduces the amount that the buyer will need to borrow from a lender for their mortgage. The deposit will be set at a maximum of \$5,000, which is consistent with the maximum deposit in the existing Affordable Housing Program.

LEGAL IMPLICATIONS:

The qualifying criteria, unit type specifications and other requirements will be secured in a housing agreement registered on title of each participating development site to ensure the units are provided as specified in the Policy. Pursuant to the *Local Government Act*, a housing agreement must be authorized by a Bylaw adopted by Council. The Housing Agreement Bylaw for the first partner project (1365 Goldstream) is also on the agenda at this meeting and has been prepared in accordance with the specifications outlined in this report. Should Council wish to make any amendments to the proposed content of this new Policy, they may also wish to amend the Housing Agreement Bylaw accordingly.

OPTIONS:

Option 1

THAT Council:

1. Direct staff to prepare Attainable Home Ownership Policy POL-0166-Plan as presented in this report; and
2. Direct staff to prepare an amendment to the Affordable Housing and Amenity Contribution Policy

to formalize Amenity Contribution refund incentives for developments participating in the Attainable Home Ownership Program;

OR Option 2

THAT Council:

1. Direct staff to prepare Attainable Home Ownership Policy POL-0166-Plan with the following amendments: _____; and
2. Direct staff to prepare an amendment to the Affordable Housing and Amenity Contribution Policy to formalize Amenity Contribution refund incentives for developments participating in the Attainable Home Ownership Program;

OR Option 3

THAT Council:

1. Take no action at this time with respect to Attainable Home Ownership Policy POL-0166-Plan.

SUBMITTED BY: Leah Stohmann, MCIP, RPP, Deputy Director of Planning and Subdivision

Concurrence: Donna Petrie, Manager of Business Development and Events

Concurrence: Matthew Baldwin, MCIP, RPP, Director of Planning and Subdivision

Concurrence: Michelle Mahovlich, P.Eng, P.Geo, Director of Engineering and Public Works

Concurrence: Michael Dillabaugh, CPA, CA, Director of Finance

Concurrence: Marie Watmough, Acting Director of Corporate Services

Concurrence: Darren Kiedyk, Chief Administrative Officer



Staff Report to Council

DATE: Monday, January 11, 2021

DEPARTMENT: Administration

SUBJECT: Construction Hours Bylaw Amendments

BACKGROUND:

As the City of Langford continues to grow and densify, noise from building construction is becoming an issue, generating complaints to the Bylaw and Engineering departments. As such, staff has been asked by Council to work with the development community to come up with recommendations that will help alleviate the situation. It must be noted that the construction industry is an extremely important segment of the local economy that provides hundreds of well-paying jobs to local residents and is providing much needed housing to the Capital Regional District. Additionally, it is important to note that no set of restrictions will alleviate noise from the industry completely and satisfy everyone.

Over the last couple of months, staff have met with representatives from the Westshore Developers Association to develop a set of criteria that will balance the need to control noise from construction while allowing the important work this industry does to continue.

COMMENTARY:

Pursuant to the *Community Charter*, Council has the authority to regulate, prohibit and impose requirements on certain subject matters, one of which is noise. This regulation must be done by bylaw. The City has a current Noise Suppression Bylaw which dates back to the 1980s; although it has been updated several times. Some of the provisions, such as those regulating the times during which construction can occur, were more relevant at a time when there was much less construction and a less densely populated area.

Currently, Bylaw 1734, amending the Noise Suppression Bylaw, sets out restrictions with respect to blasting and rock coring and drilling with prohibitions against blasting on Sundays and Statutory Holidays.

The Noise Suppression Bylaw, 1981 currently allows construction noise between 7 am and 7 pm or sunset, whichever is later, 7 days per week including all Statutory Holidays. Staff is proposing changes which will expand the restrictions by further limiting the times of day and days of the week during which construction may occur. The proposal also includes the ability for the City to issue permits to allow construction noise outside of these windows when necessary.

Below are a number of parameters staff believe will help to reduce noise and disruption arising from the construction industry. If Council is supportive of the general parameters, staff will develop bylaw amendments for Council's review in the coming weeks.

A. Building Construction:

- Between the hours of 7am and 7pm Monday to Friday
- Between the hours of 8am and 5pm Saturdays
- 8am to 5pm Sundays– work limited to **INSIDE** a building with doors & windows installed and closed.
- Except with a permit, work not permitted on Statutory Holidays
- No loud music/No obscene language permitted at any time.
- Work **OUTSIDE** a building on Sunday or work **INSIDE** or **OUTSIDE** a building on a Statutory Holiday subject to a permit being issued by the City.

B. Site Preparation/Grading/Servicing:

- 7am to 5pm Monday to Friday
- 8am to 4pm Saturday
- Work on a Sunday or on a Statutory Holiday subject to a permit being issued by the City.

C. Blasting:

- 8am to 5pm Monday to Friday
- 8am to 4pm Saturday
- Work on a Sunday or on a Statutory Holiday subject to a permit being issued by the City.

D. Rock Breaking/Rock Drilling/Rock Crushing:

- 8am to 5pm Monday to Friday
- Work on a Saturday or Sunday or on a Statutory Holiday subject to a permit being issued by the City.

Staff are suggesting that at this time no additional penalties be added; however, should there be a lack of compliance, we would bring it back to Council for re-evaluation.

FINANCIAL IMPLICATIONS:

None directly. There may be costs associated with enforcement or addressing complaints. There may be some revenue generated by the permits but we cannot project at this time how much that might be.

LEGAL IMPLICATIONS:

Staff will work on a process for issuing the permits set out above prior to bringing the bylaw forward for consideration.

OPTIONS:

Option 1

THAT Council

Direct staff to prepare a Bylaw using the parameters set out in the report to set times during which construction noise may occur and a process to issue permits where construction noise is requested to occur outside of these parameters.

OR Option 2

THAT Council

Direct staff to prepare a Bylaw using the parameters set out in the report with the following revisions:

- 1.
- 2.

OR Option 3

THAT Council

Direct staff to do nothing at this time with respect to a construction noise.

SUBMITTED BY: Marie Watmough, Acting Director of Corporate Services

Concurrence: Matthew Baldwin, MCIP, RPP, Director of Planning and Subdivision

Concurrence: Michelle Mahovlich, P.Eng, P.Geo, Director of Engineering and Public Works
Concurrence: Wayne Robinson, Manager of Building Inspections
Concurrence: Marie Watmough, Acting Director of Corporate Services
Concurrence: Darren Kiedyk, Chief Administrative Officer



Staff Report to Council

DATE: Monday, January 10, 2022
DEPARTMENT: Planning
SUBJECT: Trees and Tree Protection Bylaws

The following is provided for information.

BACKGROUND:

Since February of 1997, the City of Langford has protected sensitive ecosystems, including trees, through the Development Permit powers of the *Local Government Act*. Using the Province's 1994 *Sensitive Ecosystems Inventory* (SEI) as a starting point, the City designated all of those areas identified in the SEI as Development Permit Areas, then added a 43m Riparian Development Permit Area around lakes and streams and designated all lots 5 acres or larger in area as potential wildlife habitat and biodiversity areas. The potential wildlife habitat and biodiversity DP area was then expanded to include information provided by the Garry Oak Ecosystems Recovery Team (GOERT) in 2008 as well as smaller lots with low density.

When Council considered the designation of Development Permit Areas in 1997, the question of a separate tree bylaw was also considered. It was felt, at the time, that the introduction of a tree protection bylaw would have the effect of hastening, not hindering, tree cutting, as anyone with a tree that they might want to remove would do so before a bylaw could be passed. The Development Permit process was also thought to be a more comprehensive solution, as it allows for whole ecosystems to be considered, not simply a tree-by-tree approach.

In the intervening 24 years since adoption, designated Development Permit Areas have worked in concert with other policies and regulations to protect and preserve ecosystems in the following ways:

- Approximately 70% of the total land area of Langford is within a designated Development Permit Area. That means that the removal of trees on 70% of the total land area of Langford are being controlled or has been considered in some manner through the Development Permit process.
- Starting in 2004, with the rezoning of Hull's Field from AG1 (Agriculture 1) to CD2 (Comprehensive Development 2) Council has sought and obtained 40% of undeveloped land as a public amenity as a condition of rezoning. This became embedded as policy in the 2008 Official

Community Plan and has carried forward and been applied to the rezoning of Bear Mountain, South Skirt Mountain and Westhills, as well as smaller greenfield sites (eg: the Weir rezoning on Latoria Road.

- Approximately 12% of Langford is within a Comprehensive Development zone and therefore subject to Council's 40% policy as outlined above.
- Since incorporation, the City of Langford has added 139.81 ha (345.49 acres) of Park and covenanted greenspace.
- There is a total of approximately 918 ha (2268.25 acres) of parkland within the City of Langford. This represents approximately 22% of the total land area within the City of Langford.

COMMENTARY:

Although Provincial legislation would allow Council to adopt a tree protection bylaw, the danger to standing trees remains the same as noted above. Avoiding public foreknowledge of a proposed tree protection bylaw would necessitate zero public consultation, which could leave the perception of a parochial attitude on the part of the City, rather than consulting with the public about tree retention in general.

It is also uncertain how many trees in Langford could be preserved by the introduction of a tree protection bylaw, when the following current aspects of tree retention are considered:

- There is no need for overlap with the existing Development Permit Areas.
- Comprehensive Development Areas should be eligible for exemption as the deal struck at rezoning establishes greenspace retention.
- Other Provincial and Federal legislation add protection for certain trees that are significant wildlife trees.
- Municipal Tree Protection bylaws usually exempt the removal of trees within prescribed building envelopes.
- Sites in Langford that are already developed, but are being redeveloped, are most often being developed into higher density, multi-family residential which is encouraged to have high site coverage (see above).
- The City of Langford, through the Form and Character Development Permit process requires full landscaping in conjunction with all small lot, multi-family, commercial, business park and industrial development. This landscaping includes trees.

- The City of Langford, through Subdivision and Development Servicing Bylaw No. 1000 requires the planting of street trees, often times in areas where no trees previously existed.
- Although a tree protection bylaw can prescribe tree replacement, it is unlikely that the City would ever want to require the retention of a diseased, damaged, or dying tree, as determined by a qualified professional (arborist, forester, biologist). Older, dead and dying trees would be replaced by newer trees which the public might not view as equivalent.
- When assessing potentially hazardous trees, arborists tend to err on the side of caution. The City would not want to accept the liability of requiring a tree to be preserved if a qualified professional has deemed them to be a potential hazard.
- With the exception of diseased, damaged or dying trees, most homeowners wish to retain the trees on their property as they represent an asset which positively affects their property's value. The Planning Department does not receive many calls in a given year from homeowners wishing to remove healthy trees for no reason.

Council may also wish to consider the following, before considering a tree preservation bylaw:

- A number of mature trees, especially the sort of fir trees that exist in many of the existing residential areas of Langford, are susceptible to wind throw. Fir, as a species, are also susceptible to sudden fungal root rot. While these trees may appear to be fine, they can deteriorate quickly and fall without notice, causing considerable damage.
- Both the current and previous Regional Plans (CRD's Regional Sustainability Strategy and the previous Regional Growth Strategy) identify Langford as an area of growth. The corollary to this is that outlying areas may remain untouched, undeveloped and rural.

If Council wishes to change its approach tree protection, this should be done with caution. When all of the caveats to a tree protection bylaw are applied, it is unlikely that such a bylaw would actually preserve any trees that are not already being preserved. If the City were to implement general tree replacement in conjunction with tree removal (more than what is already mandated in some Development Permit areas) then staffing needs will have to be re-considered. It is not unreasonable to expect that a full-time equivalent staff position could be employed simply to answer tree questions, review tree removal applications, issue tree permits and ensure that all work is bonded.

To date, Langford has struck a balance between development and greenspace retention. The City has made excellent progress in preserving greenspace and creating more park land since incorporation. The percentage amount of greenspace in Langford is now comparable to or exceeds that of most urban municipalities in BC. It may not be possible to transform the urban fabric of Langford into the kind of community that mirrors the objectives of the Official Community Plan and the Regional Sustainability

Strategy with respect growth and density if tree-by-tree preservation becomes an objective by policy.

Option 1

That Council receive this report for information.

SUBMITTED BY: Matthew Baldwin, MCIP RPP, Director of Planning and Subdivision

Concurrence: Michael Dillabaugh, Director of Finance

Concurrence: Marie Watmough, Acting Director of Corporate Services

Concurrence: Darren Kiedyk, Chief Administrative Officer

November 12, 2021

Mayor Young and Council
City of Langford
Langford, BC V9B 2X8

Dear Mayor Young and Council:

Re: Greater Victoria Public Library 2022 Budget and Five-Year Financial Plan

The Greater Victoria Public Library respectfully submits its 2022 Operating Budget and Five-Year Financial Plan for 2022-2026 for approval by Council resolution.

The overall municipal contribution amount increase requested for 2022 is 2.0%.

The City of Langford's share of the 2022 requisition, based on converted assessment values and population of your municipality, including rental adjustment, is \$2,145,466.00.

GVPL's 2022 operating budget submission supports the maintenance of existing service levels as well as the reinstatement of services that are accessible and sustainable. Budget drivers include salaries and benefits, library materials, building occupancy costs and other factors which are described in the attached 2022 budget notes.

In a world where social connection has become increasingly difficult, public libraries play a key role as community hubs that build a sense of belonging and resilience. Throughout the challenges of the pandemic, GVPL has continued to adapt, reorganize, redesign and reimagine how our services are delivered to support inclusive and healthy communities. I invite you to review our [2020 Annual Report](#) which provides highlights of key accomplishments.

We look forward to building upon the library's service strengths to advance our community-inspired services for community renewal, individuals' growth, and public outcomes. As you will see in the Library Board's 2021-2023 Strategic Bridging Plan, GVPL is committed to working with our municipal and community partners to build a bridge to a better future together.

Thank you for your ongoing support and appreciation of GVPL's work and the role public libraries play in building strong and welcoming communities.

Sincerely,



Andy MacKinnon
Chair, Greater Victoria Public Library Board

cc: Darren Kiedyk, CAO, City of Langford
Michael Dillabaugh, Director of Finance, City of Langford
Maureen Sawa, CEO, Greater Victoria Public Library
Paul McKinnon, Director, Finance & Facilities, Greater Victoria Public Library



GREATER VICTORIA PUBLIC LIBRARY

2022 Budget and 2022-2026 Five Year Financial Plan

Review / Approval Dates:

Review - Finance Committee: August 24, 2021

Review – Finance Committee: September 21, 2021

Approved – Board of Trustees: October 26, 2021



BUDGET AT A GLANCE

	<u>2022</u>	<u>2021</u>
Operating Budget ¹	\$ 20,678,714	\$ 19,540,880
Operating Budget Increase (Decrease) ²	4.72%	(0.78%)
Capital Budget	\$ 2,015,060	\$ 2,070,067
Capital Budget Increase (Decrease)	(2.66%)	(3.72%)
Total Budget - Funded ³	\$ 20,593,774	\$ 19,810,947
Total Budget Increase (Decrease)	3.95%	(1.09%)
Municipal Contribution - Total	\$ 18,440,300	\$ 18,078,726
Municipal Contribution - Increase	\$ 361,574	\$ 0.00
Municipal Contribution - Increase (%)	2.0%	0%
Cost per Capita ⁴	\$ 51.43	\$ 51.32
Cost per Capita Increase ⁵	\$ 1.01	\$ 0.00
Population (Member Municipalities) ⁶	358,579	352,287

Note 1 – Operating budget consists of operating expenses only

Note 2 – Net of Amortization

Note 3 – Total budget funded is equal to Expenses (Operating budget) less amortization (non-funded expense) + capital budget

Note 4 – Municipal Contribution Total divided by Population

Note 5 – Municipal Contribution Increase divided by Population

Note 6 – As per BC Stats, 2020 Sub-Provincial Population Estimates

Note to Budget – Municipal Contribution

As with previous annual budgets the municipal contribution increase is being offset by the approved use of accumulated reserves and contingency. The use of contingency to offset municipal contributions was approved as part of the five-year plan included in the Fiscal 2021 Budget and Five Year Plan. The use of contingency specifically is set to be eliminated in year four of the five-year plan, when the impacts of the COVID-19 pandemic are expected to be minimized.



2021 Budget and Five-Year Financial Plan

	<u>2021</u>	<u>2022</u>	<u>Change</u>	<u>Change%</u>	<u>Notes</u>	<u>2023</u>	<u>2024</u>	<u>2025</u>	<u>2026</u>
Revenues									
Municipal Contributions - Operating	\$ 18,078,726	18,440,300	\$ 361,574	2.0%	1	18,993,509	19,563,314	20,150,214	20,754,720
Municipal Contributions - Start-up	355,280	61,720	\$ (293,560)	-82.6%	2	-	-	-	-
Provincial Grants	642,339	642,339	\$ -	0.0%	3	642,339	642,339	642,339	642,339
Federal Grants	-	-	\$ -	0.0%	4	-	-	-	-
Fines, Fees and Printing	333,400	303,400	\$ (30,000)	-9.0%	5	303,400	303,400	303,400	303,400
Contracts for Service	28,450	28,450	\$ -	0.0%	6	28,450	28,450	28,450	28,450
Investment Income	74,000	85,000	\$ 11,000	14.9%	7	85,000	85,000	85,000	85,000
Donations and Other Grants	77,500	85,000	\$ 7,500	9.7%	8	85,000	85,000	85,000	85,000
	19,589,695	19,646,209	\$ 56,514	0.3%		20,137,698	20,707,503	21,294,403	21,898,909
Expenses (Operating Budget)									
Salaries and Benefits	14,520,580	15,387,782	867,202	6.0%	9	15,703,320	16,026,424	16,339,717	16,672,510
Library Materials	870,000	1,102,369	232,369	26.7%	10	1,096,369	1,094,369	1,094,369	1,094,369
Amortization	1,800,000	2,100,000	300,000	16.7%	11	2,100,000	2,100,000	2,100,000	2,100,000
Supplies and Services	1,172,076	820,548	(351,528)	-30.0%	12	816,100	819,701	823,432	828,359
Building Occupancy	842,841	911,393	68,552	8.1%	13	928,030	946,136	963,212	978,726
Other Expenses	335,383	356,622	21,239	6.3%	14	345,071	348,110	350,281	351,749
	19,540,880	20,678,714	1,137,834	5.8%		20,988,890	21,334,740	21,671,011	22,025,712
Annual Surplus/(Deficit)	48,815	(1,032,505)	(1,081,320)	-2215.1%		(851,192)	(627,237)	(376,608)	(126,803)
Add back: Unfunded Amortization	1,800,000	2,100,000	300,000	16.7%	11	2,100,000	2,100,000	2,100,000	2,100,000
	1,848,815	1,067,495	(781,320)	-42.3%		1,248,808	1,472,763	1,723,392	1,973,197
Total Budget - Funded	19,810,947	20,593,774	782,827			20,859,450	21,204,823	21,542,639	21,898,909
Municipal Contributions-Operating Increase	0.00%	2.00%				3.00%	3.00%	3.00%	3.00%



GREATER VICTORIA PUBLIC LIBRARY

	<u>2021</u>	<u>2022</u>	<u>Change</u>	<u>Notes</u>	<u>2023</u>	<u>2024</u>	<u>2025</u>	<u>2026</u>
Balance forward from Page 1	1,813,567	1,067,495	(781,320)		1,248,808	1,472,763	1,723,392	1,973,197
Capital Expenses								
Library Materials - Operating	1,459,887	1,687,060	227,173	10	1,687,060	1,687,060	1,687,060	1,687,060
Hardware - Operating	100,000	100,000	-	15	101,500	103,023	104,568	106,136
Furniture and Equipment - Operating	60,000	60,000	-	15	60,000	60,000	60,000	60,000
Building Improvement - Operating	120,000	120,000	-	15	120,000	120,000	120,000	120,000
Vehicles - Operating	-	-	-		-	-	-	-
Branch Start-ups:								
Library Materials - Esquimalt Branch	8,000	8,000	-	2	2,000	-	-	-
Hardware - Esquimalt Branch Relocation	66,000	10,000	(56,000)	2	-	-	-	-
Furniture and Equipment - Esquimalt Branch Relocation	256,180	30,000	(226,180)	2	-	-	-	-
	<u>2,070,067</u>	<u>2,015,060</u>	<u>(55,007)</u>		<u>1,970,560</u>	<u>1,970,083</u>	<u>1,971,628</u>	<u>1,973,196</u>
Transfers								
Transfer to Replacement Reserve	120,000	-	(120,000)	16	-	-	-	-
Transfer from Replacement Reserve	(120,000)	-	120,000	16	-	-	-	-
Transfer from Personnel Contingency Reserve	-	-	-	16	-	-	-	-
Transfer from Library Materials Reserve	-	(431,723)	(431,723)	16	(380,775)	(194,714)	(185,649)	-
Transfer to Contingency Reserve	-	-	-	16	-	-	-	-
Transfer from Contingency Reserve	(221,252)	(515,842)	(294,590)	16	(340,977)	(302,606)	(62,587)	-
Transfer to/(from) Reserves	<u>(221,252)</u>	<u>(947,565)</u>	<u>(726,313)</u>		<u>(721,752)</u>	<u>(497,320)</u>	<u>(248,236)</u>	<u>-</u>



2022 MUNICIPAL CONTRIBUTIONS

	2021		2022						Building Maint. Costs ²	Total Municipal Budget 2022
	Share 2021	Total Requisition 2021	Share 2022	Operating Budget	Rent Adjustment ¹	Total Requisition 2022	Increase			
							\$	%		
Central Saanich	5.16%	\$941,995	5.17%	\$953,364	\$9,151	\$962,515	\$20,519	2.20%	\$0	\$962,515
Colwood	4.83%	879,672	4.85%	\$894,355	6,497	900,852	21,179	2.40%	0	900,852
Esquimalt	5.28%	950,311	5.37%	\$990,244	-4,310	985,934	35,623	3.70%	0	985,934
Highlands	0.68%	123,847	0.69%	\$127,238	926	128,164	4,317	3.50%	0	128,164
Langford	11.23%	2,045,413	11.55%	\$2,129,855	15,611	2,145,466	100,053	4.90%	0	2,145,466
Metchosin	1.42%	258,601	1.43%	\$263,696	1,897	265,593	6,992	2.70%	0	265,593
Oak Bay	6.24%	1,123,074	6.30%	\$1,161,739	-5,114	1,156,625	33,551	3.00%	0	1,156,625
Saanich	32.63%	5,876,004	32.77%	\$6,042,885	-23,428	6,019,457	143,453	2.40%	0	6,019,457
Victoria	29.49%	5,329,027	28.85%	\$5,320,027	-2,408	5,317,619	-11,409	-0.20%	0	5,317,619
View Royal	3.04%	550,781	3.02%	\$556,897	1,179	558,076	7,295	1.30%	0	558,076
Total	100%	\$18,078,726	100%	\$18,440,300	\$0	\$18,440,300	\$361,574	2.00%	\$0	\$18,440,300

¹ The **Rent Adjustment** is calculated in accordance with Section 8.12 (a), (b) and (c) of the Library Operating Agreement and relates to portions of buildings used to benefit all member municipalities: the Collection and Technical Services section of the Juan de Fuca Branch building and the Administrative portion of the Central Branch building. Municipalities which did not contribute to the initial acquisition of such building or who did not subsequently purchase a portion of such building pays reasonable rent to those Municipalities that did.

² **Building Maintenance Costs for jointly owned buildings** are additional municipal budget amounts that are over-and-above the requisition for the library operating budget. The two branches that are jointly owned are the Central Branch and the Juan de Fuca Branch. In 2018 the City of Victoria took over administration of building maintenance costs for the Central Branch, GVPL will no longer be invoicing for these costs separately, as such those costs are not included in the budget. In 2021 West Shore Parks and Recreation took over administration for the JFMAM and maintenance costs for the Juan de Fuca branch, as such these costs are no longer included in the budget.



GREATER VICTORIA PUBLIC LIBRARY

2022 MUNICIPAL PER CAPITA CONTRIBUTIONS

	2022				
	Total Requisition 2022	Population ¹	Cost Per Capita 2022	Increase per capita	increase
Central Saanich	\$953,364	18,353	51.95	\$1.12	\$20,519
Colwood	\$894,355	19,373	46.17	\$1.09	\$21,179
Esquimalt	\$990,244	19,015	52.08	\$1.87	\$35,623
Highlands	\$127,238	2,451	51.91	\$1.76	\$4,317
Langford	\$2,129,855	44,069	48.33	\$2.27	\$100,053
Metchosin	\$263,696	5,049	52.23	\$1.38	\$6,992
Oak Bay	\$1,161,739	18,918	61.41	\$1.77	\$33,551
Saanich	\$6,042,885	125,107	48.30	\$1.15	\$143,453
Victoria	\$5,320,027	94,415	56.35	-\$0.12	-\$11,409
View Royal	\$556,897	11,829	47.08	\$0.62	\$7,295
Total	\$18,440,300	358,579	\$51.43	\$1.01	\$361,574

¹ Source of population figures - BC Stats website: <https://www2.gov.bc.ca/gov/content/data/statistics/people-population-community/population/population-estimates, 2020>, accessed July 12 2021

General note: Percentage share of costs by municipality are determined based on 50% property assessment value and 50% population estimate. More detailed information on assessment values and population are available on request.

Notes to the 2022 Budget and Five-Year Financial Plan

Approximately 90% of the GVPL operating budget is funded by our ten municipal partners. Consequently, a key objective is to maintain municipal contribution increases within an acceptable range, typically based on rates of inflation and wage increases as negotiated through Greater Victoria Labour Relations Association. “Acceptable” increases are ultimately determined by Councils upon consideration of our budget requisition.

Because needs and opportunities change over time as we strive to best serve our communities, GVPL’s budget process allows reasonable flexibility for business areas to adapt and optimize their activities as events unfold, while still requiring system-wide financial planning and accountability.

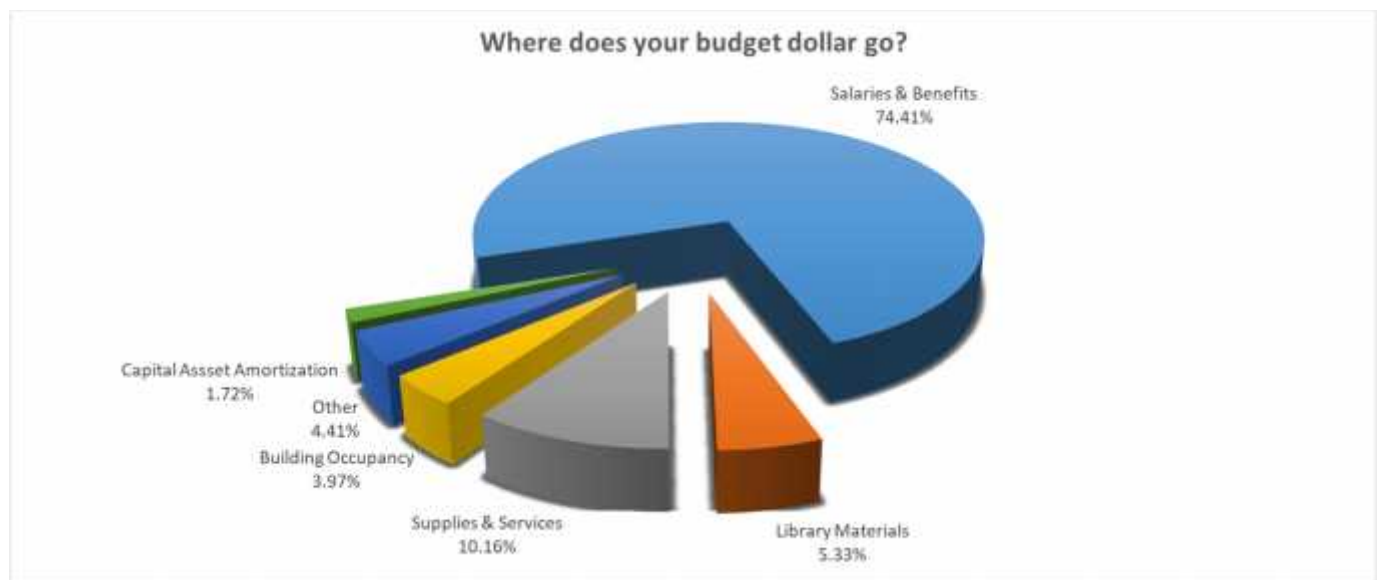
For 2022, operational efficiencies through cost avoidance strategies will continue to be explored as the organization normalizes the ongoing impacts from the COVID-19 Pandemic. The use of reserves has been approved to augment some un-avoidable budget increases.

GVPL is committed to operating efficiently and effectively to deliver library service to 10 municipalities. The library system leverages more than 100 active community partnerships to expand programs and lifelong learning opportunities for Greater Victoria residents.

Components of the 2022 budget include the following:

1. **Municipal Contributions – Operating**
Increase \$361.574

The Greater Victoria Public Library budget is allocated as illustrated below. The majority (75%) is attributed to salaries and benefits which are jointly negotiated through the GVLRA. Salaries and benefits are the key cost driver for GVPL.



2. Municipal Contributions – Start-up
Decrease \$293,560

In 2022 there is a decrease to the start up contributions as the majority of the start up funds were expended in 2021. The remaining funds allocated in 2022 are for minor start up costs which are expected to stretch into 2022 as the new branch is opened in late fall of 2021. As with prior years these are funded by the individual municipalities providing the facilities.

For 2022 the following has been identified for branch start-up funds:

) Esquimalt Branch relocation - \$61,720

The majority of these contributions are for capital expenditures, with a small percentage of start-up funding going towards non-capital costs, such as moving and some supplies below the asset threshold.

3. Provincial Grants
No Change

Provincial funding for public libraries in British Columbia has remained frozen since 2009. We are not projecting any change to the previous year's amount granted to GVPL of \$642,339.

4. Federal Grants
No Change

Federal grants are cyclical in nature and are dependent on specific programs planned during the operating budget year.

5. Fines, Fees and Printing
Decrease \$30,000

Due the uncertainty over the long term effects of the COVID-19 Pandemic, the revenue income derived from Fines and Fees was reduced. Fines and Fees are currently under review as part of a larger organizational initiative.

6. Contracts for Service
No Change

This is an annual payment of \$28,450 from the Capital Regional District for service delivery relating to the Juan de Fuca Electoral District. (Willis Point, Durrance, Malahat)

7. Investment Income
Increase \$11,000

Investment revenue is conservatively estimated to reflect projected continuation of modest earnings in the Municipal Finance Authority bond fund and slight increases in returns for secured GIC's.

8. Donations and Other Grants
Increase \$7,500

Donations and grants are cyclical in nature and are dependent on specific programs planned during the operating budget year. New funding opportunities will continue to be explored in 2022, in tandem with new donor engagement strategies.

9. Salaries and Benefits

Increase \$867,202

- Labour is budgeted at full schedule hours (which may differ from operating hours) meaning the budget is fully loaded to support full service, there is no anticipated changes as a result of adjustment to open hours or Sunday Services when restored.
- Contractually negotiated increases account for \$291,000
 - Net labour increase is ~ \$575,000, which consists of labour and direct benefits costs as follows:
 - Labour \$446,000
 - Benefits \$129,000

This budget includes employee benefit costs and payroll withholding costs such as EI and CPP. A detailed benefit review occurs prior to the annual budget cycle and budget development. As a result of this years analysis we have determined that the rate of benefits and withholding costs will reduce slightly to 23% from the prior year figure of 23.70% of total salaries and wages.

10. Library Materials (Expensed and Capital)

Increase \$459,542

The library materials budget is split between Expenses for periodicals and eResources and Capital Expenses for books, audio visual and electronic materials which are capitalized as assets and amortized over 7 years.

Demand for digital resources has grown substantially as a result of the service changes related to the COVID-19 Pandemic, as a result additional funds are being allocated to meet the ongoing and expected continued demand.

In addition new funds are being added to the physical collection budget to meet demand and offset higher costs for print materials. These new funds will allow for new materials and collections over and above the existing budget which has been held stable for some time.

For Fiscal 2022 funds are available within the Library Materials Reserve and donated funds to offset this increase. Collections budgets will be reviewed during the upcoming fiscal year to determine a long range plan for collections expenditures when collections demands are expected to normalize post pandemic.

11. Amortization

Increase \$300,000

This is the estimated amortization expense for tangible capital assets, in accordance with the Board's Tangible Capital Asset policy. Since this is an unfunded expense, it is added back to the budgeted annual surplus, and does vary year over year pending capital asset purchases and disposals.

12. Supplies and Services

Decrease \$351,528

Supplies and services include such items as telephone, networks, printer paper and other supplies and shuttle fuel. These items have all increased slightly, but through effective negotiation of service contracts, in particular network access contracts for in branch internet services, a substantial reduction for the costs associated with the provision of high speed internet was found.

13. Building Occupancy

Increase \$68,552

Building occupancy includes maintenance contracts, security, garbage and utilities. Security costs have increased due to higher contract costs (including minimum wage increases, contract renewal and additional service requirements). Contracted cleaning costs are also included in this budget line. The cleaning contract renewal has been deferred as a cost saving measure, thus allowing for minimal increases in this area.

14. Other Expenses
Increase \$21,239

Other expenses include such items as insurance and employee recruitment costs, marketing costs, and business travel expenses.

15. Other Capital Expenditures (Hardware, Furniture and Equipment, Building Improvement)
No Change

16. Transfer to/(from) Reserves
Change in Net Transfer From Reserves \$726,313

Change to Reserve transfers are as follows:

-) Transfer from Library Materials Reserve - \$431,723
-) Transfer from Contingency Reserve – \$294,590



Staff Report to Council

DATE: Monday, January 10, 2022

DEPARTMENT: Planning

APPLICATION NO.: Z20-0030

SUBJECT: Bylaw No. 1969 – Application to Rezone 890 Walfred Road from RR5 to R2 to Accommodate an 8-lot Bare Land Strata Subdivision

At their Regular Meeting of May 10, 2021, Council passed the following resolution with respect to 890 Walfred Road:

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: **(secured in bylaw)***
 - 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; **(complete)***
 - c) *That the applicant provides, **prior to Bylaw Adoption**, a Section 219 covenant, registered in priority of all other charges on title, that agrees: **(complete)***
 - 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.*

COMMENTS

The applicant has registered a Section 219 covenant against the title of the subject property that agrees to items 1. c) i. i-ii, in Council's consolidated resolution from May 10, 2021.

A public hearing was held on July 19, 2021.

Bylaw No. 1969 was signed by the Minister of Transportation on July 21, 2021.

As there are no outstanding conditions required at this time, Council may wish to proceed with Bylaw Adoption.

OPTIONS:

Option 1

THAT Council adopt Bylaw No. 1969;

OR Option 2

THAT Council take no action at this time with respect to Bylaw No. 1969.

SUBMITTED BY: Julia Buckingham, Planner II

Concurrence: Leah Stohmann, MCIP, RPP, Deputy Director of Planning and Subdivision

Concurrence: Donna Petrie, Manager of Business Development and Events

Concurrence: Matthew Baldwin, MCIP, RPP, Director of Planning and Subdivision

Concurrence: Michelle Mahovlich, P.Eng, P.Geo, Director of Engineering and Public Works

Concurrence: Michael Dillabaugh, CPA, CA, Director of Finance

Concurrence: Marie Watmough, Acting Director of Corporate Services

Concurrence: Darren Kiedyk, Chief Administrative Officer

**CITY OF LANGFORD
BYLAW NO. 1969**

**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 RR5 (Rural Residential 5) Zone and adding to R2 (One- and Two-Family Residential) Zone the property legally described as LOT 4, SECTION 78, ESQUIMALT DISTRICT, PLAN 22056, EXCEPT THAT PART LYING NORTHERLY OF A LINE DISTANT 120 FEET SOUTH EAST OF THE NORTH WEST CORNER AND DISTANT 175 FEET SOUTH WEST OF THE NORTH EAST CORNER, PID No. 003-305-261 (890 Walfred Rd) in the portions as shown shaded on Plan No. 1 attached to and forming part of this Bylaw.

2. By adding the following line to Table 1 of Schedule AD:

Zone	Bylaw No.	Legal Description	Amenity Contributions	Eligible for Reduction in Section 2 of Schedule AD (Column 5)
R2	1969	LOT 4, SECTION 78, ESQUIMALT DISTRICT, PLAN 22056, EXCEPT THAT PART LYING NORTHERLY OF A LINE DISTANT 120 FEET SOUTH EAST OF THE NORTH WEST CORNER AND DISTANT 175 FEET SOUTH WEST OF THE NORTH EAST CORNER, PID No. 003-305-261 (890 Walfred Rd)	a) \$660 per lot towards the Affordable Housing Reserve Fund; b) \$3,960 per lot towards the General Amenity Reserve Fund.	No

B. This Bylaw may be cited for all purposes as “Langford Zoning Bylaw, Amendment No. 621, (890 Walfred Rd), Bylaw No. 1969, 2021”.

READ A FIRST TIME this 21st day of June, 2021.

PUBLIC HEARING held this 19th day of July, 2021.

READ A SECOND TIME this 19th day of July, 2021.

READ A THIRD TIME this 19th day of July, 2021.

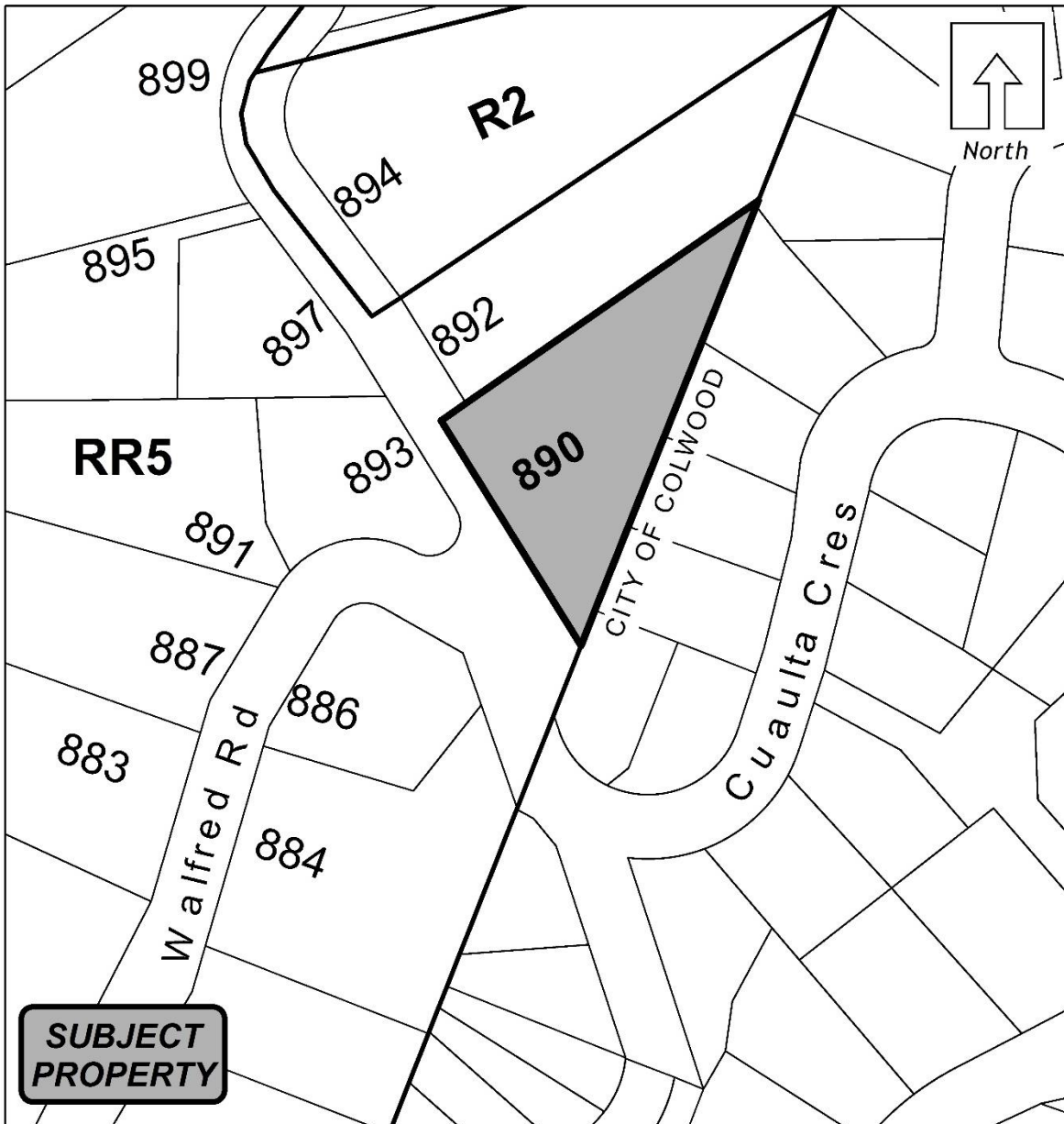
APPROVED BY THE MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE this 21st day of July, 2021.

ADOPTED this day of , 2021.

MAYOR

(Certified Correct)
CORPORATE OFFICER

Schedule A





Staff Report to Council

DATE: Monday, January 10, 2022

DEPARTMENT: Planning

APPLICATION NO.: Z21-0004

SUBJECT: Bylaw No. 1984 - Application to Rezone 3540 Myles Mansell Road from Comprehensive Development 13 – South Walfred (CD13) Zone to One- and Two-Family Residential (R2) Zone to allow for a four-lot subdivision with three strata lots and one fee simple lot.

At their Regular Meeting of June 21st, 2021, Council passed the following resolution with respect to the property at 3540 Myles Mansell Road:

That Council:

1. Proceed with consideration of Bylaw No. 1984 to amend the zoning designation of 3540 Myles Mansell Road from 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 storm water can be adequately managed on-site for the proposed developments, to the satisfaction of the Director of Engineering; **(COMPLETE)**
 - 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; **(COMPLETE)**
 - d. That the applicant provides **prior to Bylaw Adoption**, a Section 219 covenant, registered in priority of all other charges on title, that agrees: **(COMPLETE)**
 - 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. A storm water management plan; and
 - 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.

COMMENTS

The applicant has registered a Sec. 219 covenant against the title of the subject property that agrees to items 1(d)(i-iii) in Council's resolution of June 21st, 2021.

Bylaw No. 1984 was signed by the Minister of Transportation on July 21st, 2021.

A Public Hearing was held on July 19th, 2021.

OPTIONS:

Option 1

THAT Council:

Adopt Bylaw No. 1984

OR Option 2

THAT Council:

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

SUBMITTED BY: Matt Notley, Planner I

Concurrence: Leah Stohmann, MCIP, RPP, Deputy Director of Planning and Subdivision

Concurrence: Donna Petrie, Manager of Business Development and Events

Concurrence: Matthew Baldwin, MCIP, RPP, Director of Planning and Subdivision

Concurrence: Michelle Mahovlich, P.Eng, P.Geo, Director of Engineering and Public Works

Concurrence: Michael Dillabaugh, CPA, CA, Director of Finance

Concurrence: Marie Watmough, Acting Director of Corporate Services

Concurrence: Darren Kiedyk, Chief Administrative Officer

**CITY OF LANGFORD
BYLAW NO. 1984**

**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 CD13 (Comprehensive Development 13 – South Walfred) Zone and adding to R2 (One- and Two-Family Residential) Zone the property legally described as LOT 40 SECTIONS 78 AND 84 ESQUIMALT DISTRICT PLAN EPP78313, PID No. 030-361-265 (3540 Myles Mansell Rd) in the portions as shown shaded on Plan No. 1 attached to and forming part of this Bylaw.

2. By adding the following line to Table 1 of Schedule AD:

Zone	Bylaw No.	Legal Description	Amenity Contributions	Eligible for Reduction in Section 2 of Schedule AD (Column 5)
R2	1984	LOT 40 SECTIONS 78 AND 84 ESQUIMALT DISTRICT PLAN EPP78313, PID No. 030-361-265 (3540 Myles Mansell Rd)	a) \$3,960 per lot towards the General Amenity Reserve Fund; and b) \$660 per lot towards the Affordable Housing Reserve Fund.	No

B. This Bylaw may be cited for all purposes as “Langford Zoning Bylaw, Amendment No. 628, (3540 Myles Mansell Road), Bylaw No. 1984, 2021.

READ A FIRST TIME this 21st day of June, 2021.

PUBLIC HEARING held this 19th day of July, 2021.

READ A SECOND TIME this 19th day of July, 2021.

READ A THIRD TIME this 19th day of July, 2021.

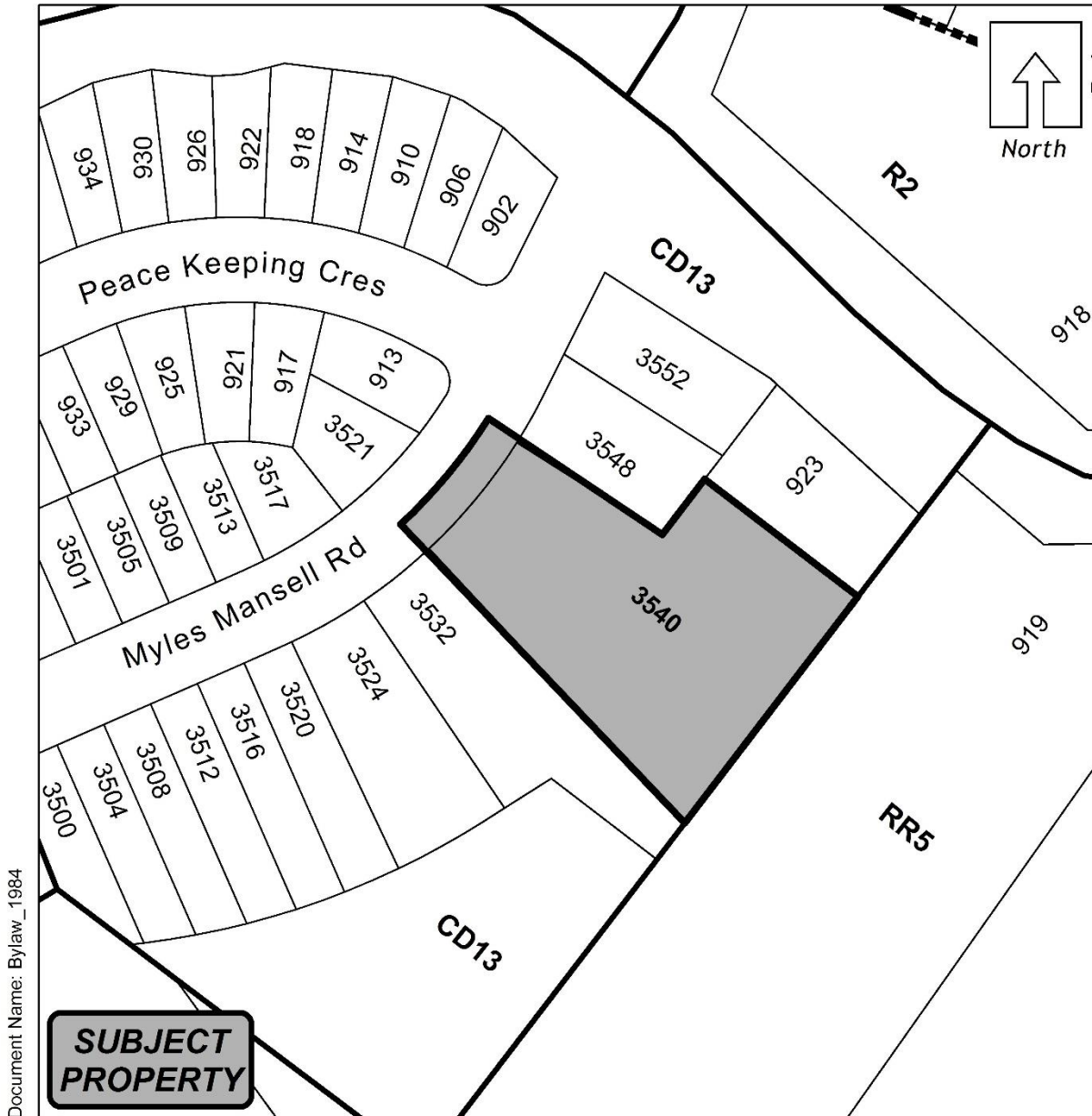
APPROVED BY THE MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE this 21st day of July, 2021.

ADOPTED this day of , 2021.

MAYOR

(Certified Correct)
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. 1984

MAYOR

ADOPTION: _____

CORPORATE OFFICER

Scale: N.T.S.

Last Revised: 4/16/2021

City of Langford

BYLAW NO. 2003, 2022

A Bylaw to authorize the City of Langford Records Management system.

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

Citation

1. This Bylaw may be cited as “Records Management Bylaw No. 2003”.

Definitions

2. In this Bylaw:

CITY	means the City of Langford;
DIRECTOR OF CORPORATE SERVICES	means the Director of Corporate Services for the City, or the Chief Administrative Officer;
MANAGER OF INFORMATION TECHNOLOGY	means the Manager of Information Technology for the City of Langford, or the person designated by the Director of Finance to act on behalf of the City to manage and maintain its information technology (IT) systems;
MANAGER OF LEGISLATIVE SERVICES	means the Manager of Legislative Services for the City of Langford, or the person designated by the Director of Corporate Services to act on behalf of the City to manage and maintain the Records Management System;
MANUAL	means the City’s manual of records management policies and procedures;
RECORDS	may include books, documents, maps, drawings, photographs, letters, vouchers, papers and any other thing on which information is recorded or stored by graphic, electronic, mechanical or other means, but does not include a computer program or any other mechanism that produces records; and
RECORDS MANAGEMENT SYSTEM	means the system used by the City to manage its records, from record creation to record disposal.

Records Management System Authorized

3. The Records Management System currently used by the City of Langford is authorized.

Application

4. All records in the custody and control of the employees of the City are the property of the City, and subject to the Records Management System and this Bylaw.
5. This Bylaw does not apply to records:

- a) Created or received by a member of Council, other than records created, received or used in their capacity as a member of Council;
- b) Of employees that are personal in nature, do not relate to the operations of the City, and are not required for City functions;
- c) Of community associations or other organizations affiliated with the City, where such records are not in the custody or control of the City.

Responsibilities

6. All City employees, management, service providers and volunteers of the City must comply with this Bylaw.
7. The Records Management System must comply with the Manual, applicable laws, and any provincial, national or international standards adopted for use and contained in the Manual.
8. The Manager of Legislative Services is responsible for the management and maintenance of the Records Management System; and is authorized to manage and maintain the Records Management System.
9. The Manager of Legislative Services is authorized to delegate Records Management System responsibilities as necessary to manage and maintain City records.
10. The Manager of Information Technology is responsible for the management and maintenance of IT systems and security as necessary to support the Records Management System.

Records Management Policies

11. The Manager of Legislative Services is authorized to create, maintain and amend a Manual of records management policies and procedures.
12. City records may only be created, accessed, maintained and disposed of as provided by the Manual.
13. The Manual must include a records classification and retention schedule.
14. The Manual may include provisions regarding:
 - a) The creation, receipt, capture, and organization of records, including records not authorized for creation;
 - b) Access to records;
 - c) Disclosure of records;
 - d) Management of records;
 - e) Use of records;
 - f) Retention of records;
 - g) Security of records;
 - h) Storage of records;
 - i) Preservation of records;

- j) The creation and maintenance of a vital records program;
 - k) Scanning and conversion of records between mediums;
 - l) Disposal of records, including destruction;
 - m) The designation and management of archival records; and
 - n) Any other records management matter the Manager of Legislative Services deems appropriate.
15. The Records Management System must maintain the integrity and authenticity of records made or kept in the usual and ordinary course of business.
 16. The Manager of Legislative Services is authorized to develop and maintain a scanning program to convert hard copy records into digital records, including the disposal of hard copy records that have been converted into legally admissible digital records.
 17. Converting hard copy records into legally admissible digital records is part of the City’s usual and ordinary course of business.

Severability

18. If any portion of this Bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed, and the remainder of the Bylaw is deemed valid.

Repeal

19. The “City of Langford Records Management Program Bylaw No. 1272, 2010” is hereby repealed.

READ A FIRST TIME THIS 6TH DAY OF DECEMBER, 2021

READ A SECOND TIME THIS 6TH DAY OF DECEMBER, 2021

READ A THIRD TIME THIS 6TH DAY OF DECEMBER, 2021.

ADOPTED THIS DAY OF , 2022.

Presiding Council Member

Corporate Officer

**CITY OF LANGFORD
BYLAW NO. 2011**

**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 One- and Two-Family Residential (R2) Zone and adding to Residential Small Lot (RS1) Zone the properties legally described as:
 - Lot B, Section 108, Esquimalt District, District Plan 21193, PID No. 003-509-940 (621 Rockingham Road)
 - Lot B, Section 108 and 109, Esquimalt District, District Plan VIP52985, PID No. 017-471-010 (629 Rockingham Road)

in the 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)
RS1	2011	Lot B, Section 108, Esquimalt District, District Plan 21193, PID No. 003-509-940 (621 Rockingham Road); and Lot B, Section 108 and 109, Esquimalt District, District Plan VIP52985, PID No. 017-471-010 (629 Rockingham Road)	a) \$3,960 towards the General Amenity Reserve Fund for the creation of a single-family lot less than 550 m ² ; b) \$660 towards the Affordable Housing Reserve Fund for the creation of a small lot for the creation of a single-family lot less than 550 m ² ;	No

B. This Bylaw may be cited for all purposes as "Langford Zoning Bylaw, Amendment No. 644, (621 and 629 Rockingham Road), Bylaw No. 2011, 2022".

READ A FIRST TIME this day of, 2022.

PUBLIC HEARING held this day of , 2022.

READ A SECOND TIME this day of , 2022.

READ A THIRD TIME this day of , 2022.

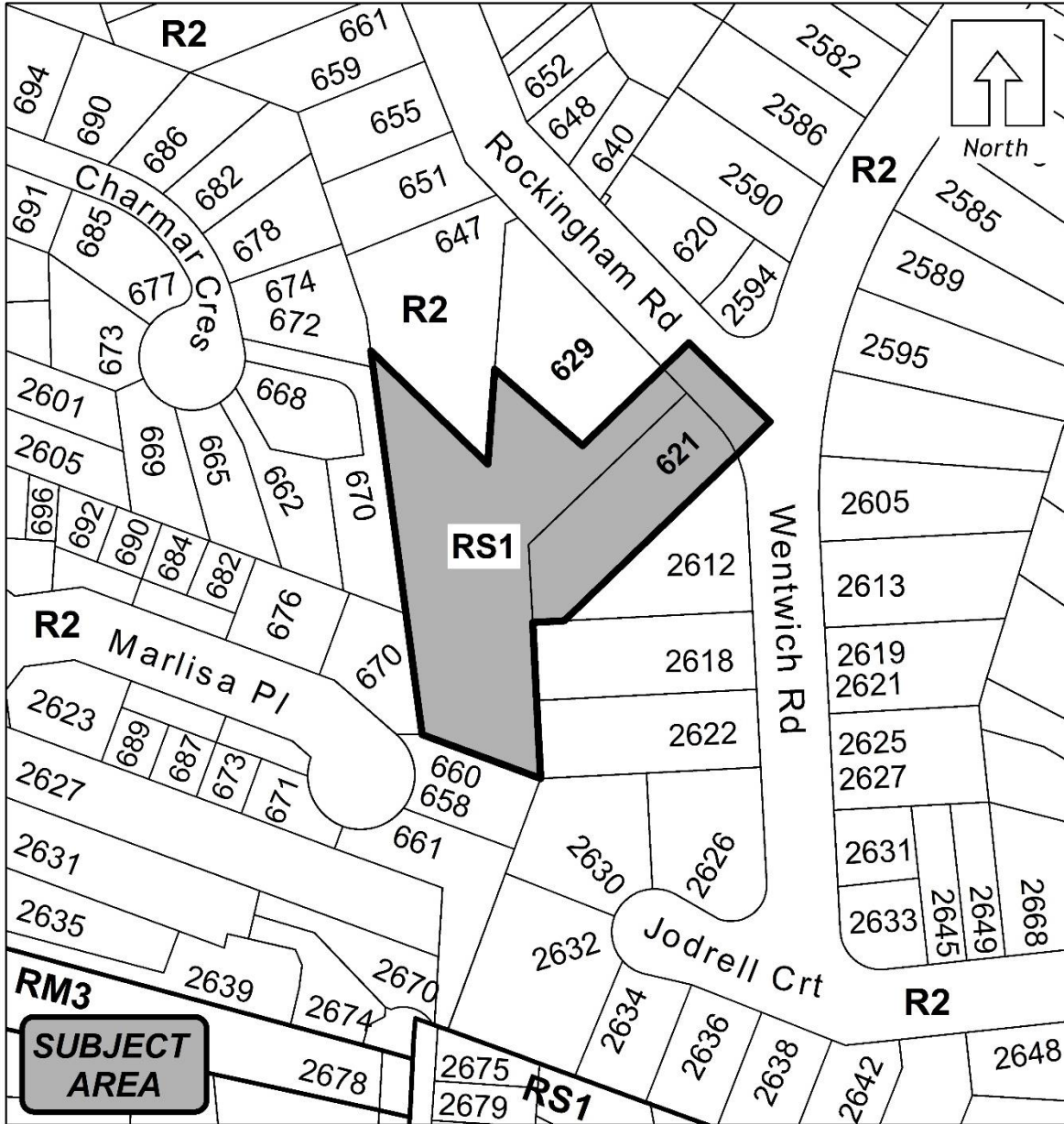
APPROVED BY THE MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE this day of , 2022.

ADOPTED this day of , 2022.

PRESIDING COUNCIL MEMBER

CORPORATE OFFICER

Schedule A





Staff Report to Council

DATE: Monday, January 10, 2022

DEPARTMENT: Planning

SUBJECT: Bylaw No. 2013 – 1365 Goldstream Ave Housing Agreement

BACKGROUND:

At the Regular Council Meeting held October 18th, 2021, staff made a presentation to introduce the new Attainable Home Ownership Program (the Program), which will provide a grant to qualified applicants for a portion of their 5% down payment when purchasing a 2-bedroom condo unit for \$450,000 in a participating development.

At their Regular Meeting held October 18th, 2021, Council authorized the Mayor and Chief Administrative Officer to enter into a Purchase and Sale Agreement to sell the property at 1365 Goldstream Ave to 1326349 BC Ltd. One of the conditions of the PSA requires the purchaser to provide 30% of the units within the development for purchase through the Program.

At their Regular Meeting held December 6, 2021, Council adopted Bylaw No. 1931 to rezone the property at 1365 Goldstream Ave to Area 5 (Multi-Family) of the CD1 (Comprehensive Development 1 – Goldstream Meadows) Zone.

Within a separate report on this agenda, Council will provide direction to staff with regards to creating the Attainable Home Ownership Program Policy, which will formalize the Program, the qualifying criteria for applicants, and the type, size and maximum purchase price of condo units to be sold through the Program. As presented, it is proposed that this Policy will include additional unit types at different price points and additional qualifying criteria compared to the initial October 18th launch due to the strong interest in the Program.

COMMENTARY:

As drafted, the housing agreement attached to Bylaw No. 2013 includes a requirement for one-bedroom, one-bedroom plus den, two-bedroom, and three-bedroom units to be incorporated into the building(s) to be developed at 1365 Goldstream Ave, in accordance with the proposed terms of the Policy. As previously noted, 30% of the units to be developed on this property will be provided for purchase through the Program. The exact number of units to be included in the development and provided to the Program

will be further refined following the completion of the sale of this property and finalization of building plans.

FINANCIAL IMPLICATIONS:

As the Purchase and Sale Agreement requires that 30% of the units within the development at 1365 Goldstream Ave be provided for purchase by qualified applicants in the Program, this Bylaw must be adopted and the associated housing agreement registered on title before the sale can complete.

LEGAL IMPLICATIONS:

Pursuant to Section 483 of the Local Government Act, a Housing Agreement specifying that certain terms and conditions apply to the occupancy of housing units must be authorized by a Housing Agreement Bylaw.

Should Council wish to move forward with this proposal as described and the Attainable Home Ownership Program Policy report, they may wish to give the first three readings to Bylaw No. 2013 as drafted. Conversely, if Council does not wish to expand the Program to include the additional unit types and qualifying criteria, Bylaw No. 2013 should be amended prior to any Readings.

OPTIONS:

Option 1

THAT Council

Give 1st, 2nd and 3rd Readings to Bylaw No. 2013;

OR Option 2

THAT Council

Take no action at this time with respect to Bylaw No. 2013.

SUBMITTED BY: Leah Stohmann, MCIP, RPP, Deputy Director of Planning and Subdivision

Concurrence: Matthew Baldwin, MCIP, RPP, Director of Planning and Subdivision

Concurrence: Donna Petrie, Manager of Business Development and Events

Concurrence: Michelle Mahovlich, P.Eng, P.Geo, Director of Engineering and Public Works

Concurrence: Michael Dillabaugh, CPA, CA, Director of Finance

Concurrence: Marie Watmough, Acting Director of Corporate Services

Concurrence: Darren Kiedyk, Chief Administrative Officer

CITY OF LANGFORD BYLAW NO. 2013

A BYLAW TO AUTHORIZE A HOUSING AGREEMENT

WHEREAS the City is the owner of the land legally described as PID No. 004-052-544, Lot 2, Section 1, Goldstream District, Plan 12263, Except Part in Plan EPP60296 (the “Property”);

WHEREAS the Council has authorized the Mayor and Chief Administrative Officer to enter into a Purchase and Sale Agreement (PSA) with 1326349 B.C. Ltd to transfer ownership of the Property to 1326349 B.C. Ltd;

WHEREAS the City and 1326349 B.C. Ltd have agreed as part of the PSA to enter into a housing agreement under s. 483 of the *Local Government Act* to establish restrictions on the occupancy of the dwelling units to be constructed on the Property as set out in Schedule ‘A’ to this Bylaw;

NOW THEREFORE the Council of the City of Langford, in open meeting assembled, enacts as a bylaw under s. 483 of the *Local Government Act* as follows:

1. Council hereby authorizes the City to enter into a housing agreement, attached as Appendix “A”, with respect to the Property to be registered as a covenant against the Property.
2. The Mayor and Corporate Officer of the City are authorized to execute the Form C – Housing Agreement;
3. The Corporate Officer is authorized to sign and file in the Land Title Office a notice of the housing agreement, as required by the *Local Government Act*.
4. The appendix attached to this Bylaw is incorporated into and forms a part of this Bylaw.
5. This Bylaw may be cited as “City of Langford Housing Agreement (1365 Goldstream Avenue) Bylaw No. 2013, 2022”.

READ A FIRST TIME this day of, 2022.

READ A SECOND TIME this day of, 2022.

READ A THIRD TIME this day of, 2022.

ADOPTED this day of, 2022.

PRESIDING COUNCIL MEMBER

CORPORATE OFFICER

Appendix "A" – Housing Agreement

TERMS OF INSTRUMENT – PART 2

CITY OF LANGFORD – ATTAINABLE HOUSING DOWN PAYMENT ASSISTANCE PROGRAM

HOUSING AGREEMENT AND SECTION 219 COVENANT

THIS AGREEMENT dated for reference _____, 2022 is

BETWEEN:

[insert]

(the "Owner")

AND:

CITY OF LANGFORD, 2nd floor, 877 Goldstream Avenue, Victoria, B.C. V9B
2X8

(the "City")

WHEREAS:

- A. The Owner is the registered owner of the land legally described in the *Land Title Act* Form C attached to and forming part of this Agreement (the "Land"),
- B. The Owner intends to construct on the Land one or more buildings, including residential dwelling units to be provided as "Attainable Housing Units" under this Agreement,
- C. Pursuant to section 483 of the *Local Government Act*, the City may, by bylaw, enter into an affordable housing agreement with an owner of land that includes terms and conditions regarding the occupancy of housing units identified in the agreement, including terms and conditions respecting form of tenure, availability of housing units to classes of persons, the administration and management of the housing units and sale prices of housing units, including the manner in which the housing units will be made available to persons within such a class,
- D. The Owner and the City wish to enter into this Agreement respecting the occupancy, tenure, availability and sale price of the affordable housing units to be constructed on the Land,
- E. Council of the City has adopted a bylaw authorizing the City to enter into this Agreement as a housing agreement under section 483 of the *Local Government Act*.

THIS AGREEMENT is evidence that in consideration of \$1.00 paid by the City to the Owner, and other good and valuable consideration, the receipt of which the Owner hereby acknowledges, the City and the Owner agree, as a covenant granted by the Owner to the City under section 219 of the *Land Title Act* and as a housing agreement under section 483 of the *Local Government Act*, as follows:

1. **Definitions** – In this Agreement:
 - (a) “Arm’s Length” has the same meaning under the *Income Tax Act* (Canada).
 - (b) “Construction Requirements” means the Housing Unit construction requirements specified in **Schedule A**.
 - (c) “Family” means one or more persons related by blood, marriage, common law, adoption, or foster parenthood.
 - (d) “Gross Floor Area” has the same meaning as defined by the City’s Zoning Bylaw No. 300, as amended from time to time.
 - (e) “Household Income” means the aggregate annual income (gross) from all sources of the applicable individual and their spouse or partner, by marriage, common law or otherwise, if any, based on the tax returns filed by such individuals with Canada Revenue Agency for the most recent taxation year.
 - (f) “Housing Units” means the residential dwelling units identified and designated pursuant to this Agreement as “Attainable Units”, once constructed on the Land and, following deposit of a strata plan under the *Strata Property Act* that creates each such “Attainable Unit” as a separate strata lot, “Housing Units” shall refer to those strata lots.
 - (g) “LTO” means the Victoria Land Title Office.
 - (h) “Maximum Price First Sale” means the following amount, as applicable to each Unit Type:
 - (i) One-Bedroom Unit: \$399,000 (including GST);
 - (ii) One-Bedroom (with Den) Unit: \$425,000 (including GST);
 - (iii) Two-Bedroom Unit: \$450,000 (including GST); and.
 - (iv) Three-Bedroom Unit: \$499,000 (including GST).
 - (i) “One-Bedroom Units” means the Housing Units identified as one-bedroom units under and in accordance with section 2.
 - (j) “One-Bedroom (with den) Units” means the Housing Units identified as one-bedroom (with den) units under and in accordance with section 2.
 - (k) “Qualified Buyer” means an individual who:
 - (i) has a Household Income of no more than the applicable amount as follows, having regard to the Unit Type:
 - (A) One-Bedroom Unit: \$115,000;
 - (B) One-Bedroom (with den) Unit: \$115,000;

- (C) Two-Bedroom Unit: \$125,000;
- (D) Three-Bedroom Unit \$135,000;
- (ii) has been a resident, as determined in accordance with section 67 of the *Local Government Act*, of the City of Langford for at least 2 years immediately before the date that such person applies to the City to become a Qualified Buyer or are members of the Canadian Armed Forces posted in Victoria or are members of the RCMP posted in the Westshore; and
- (iii) does not own, and whose spouse or partner, by marriage, common law or otherwise, if any, does not own, either directly or indirectly through a trust, business asset or otherwise:
 - (A) any interest in real property anywhere in the world, from the time that such person applies to the City to be a Qualified Buyer until such individual completes the purchase of a Housing Unit; and
 - (B) assets and other property of any kind (including investments and cash) having a total value greater than \$50,000.
- (l) “Two-Bedroom Units” means the Housing Units identified as two-bedroom units under and in accordance with section 2.
- (m) “Three-Bedroom Units” means the Housing Units identified as three-bedroom units under and in accordance with section 2.
- (n) “Unit Type” means the types of Housing Units specified in this Agreement, being One-Bedroom Units, One-Bedroom (with den) Units, Two-Bedroom Units and Three-Bedroom Units.

2. Development Restriction and Strata Subdivision Requirement –

Every building on the Land (or to be constructed on the Land) shall meet all of the following requirements and be subject to the following restrictions:

- (a) The building shall be constructed in accordance with the Construction Requirements and, specifically, so as to include the construction of the Housing Units, and the applicable Unit Types designated on the building permit plans in accordance with this section, in accordance with the Construction Requirements.
- (b) At least 30% (rounded up) of the residential dwelling units contained in the building shall be Housing Units.
- (c) Construction of the building shall not commence until the Owner has identified the Housing Units within the building, including the designation of Unit Type for each Housing Unit, on the plans submitted to the City with the Owner’s application to the City for a building permit for the building.

- (d) The building, once constructed on the Land, shall not be occupied or used for any purpose until the Land has been subdivided by deposit of a strata plan under the *Strata Property Act* that creates each Housing Unit as a separate strata lot with strata bylaws that do not prohibit occupants from having pets. Following registration of that strata plan, the City shall execute a release of this Agreement from title to all strata lots within the building other than the Housing Unit strata lots. The Owner shall be responsible for preparing and registering the release in the LTO. For clarity, this Agreement shall remain registered against title to the Land and any resulting common property and shall continue to apply to the Land and any other buildings from time to time located on the Land, under construction on the Land or to be constructed on the Land.
3. **Application of Sections 4 to 9** – Sections 4 to 9 apply separately to each Housing Unit.
4. **General Occupancy, Tenure, Availability and Price Restrictions** – Except as otherwise provided under this Agreement, the Housing Unit:
- (a) may only be occupied as a permanent residence;
 - (b) may only be occupied by a Qualified Buyer, together with one or more members of their Family;
 - (c) may not be rented or leased, or occupied by way of a tenancy, rental, lease, license or other occupancy agreement of any kind, except with the prior written approval of the City, which may be provided in circumstances of hardship such as the death or divorce of the Qualified Buyer who owns the Housing unit;
 - (d) shall only be available for purchase by, and may only be sold to, a Qualified Buyer who has applied to the City for approval as a Qualified Buyer and has been approved, in writing, by the City as meeting the Qualified Buyer criteria under this Agreement and any applicable City policy from time to time;
 - (e) may only be sold under a contract of purchase and sale providing for a deposit of no more than \$5,000, with no more than \$1,000 of that deposit payable on contract signing and the balance on removal of all conditions precedent under the contract;
 - (f) may not be sold for a sale price, including GST, that exceeds the Maximum Price First Sale applicable to the Housing Unit; and
 - (g) the sale price shall include payment for the Housing Unit and all fixtures, furnishings, appliances and other things in the Housing Unit.
5. **First Sale** –
- (a) The Housing Unit may not be occupied or used for any purpose until:
 - (i) the Housing Unit is transferred to a Qualified Buyer (the Qualified Buyer who first purchases or otherwise acquires the Housing Unit is referred to herein as the “**First Buyer**”);

- (ii) fee simple title to the Housing Unit is registered in the name of the First Buyer in the LTO (the date of such land title office registration is referred to herein as the “**First Sale Date**”); and
 - (iii) documentation and other written evidence satisfactory to the City has been provided to the City confirming that the Housing Unit has been transferred to a City approved Qualified Buyer for a sale price (including GST) that does not exceed the Maximum Price First Sale, pursuant to a contract and purchase and sale providing for a deposit below the applicable limit specified under this Agreement, and the City has provided written confirmation that it is satisfied with such written evidence.
- (b) Following the transfer of the Housing Unit to the First Buyer, the Housing Unit may only be used as a permanent residence and may only be occupied by the First Buyer, provided that the First Buyer may permit members of the First Buyer’s Family to reside in the Housing Unit with the First Buyer.
6. **Subsequent Sale** – Following the sale or transfer to the First Buyer, the Housing Unit:
- (a) may only be sold or transferred to a buyer who is at Arm’s Length to First Buyer;
 - (b) may be sold to a buyer who is not a Qualified Buyer (for clarity, the restriction under section 4(d) shall not apply to a sale or transfer under this section); and
 - (c) shall not be sold or otherwise transferred for a sale price, including GST if applicable, that exceeds the applicable amount below:
 - (i) 105% of (the Maximum Price First Sale paid by the First Buyer), if registration in the LTO of the transfer to the buyer occurs within 3 years following the First Sale Date; or
 - (ii) 110% of (the Maximum Price First Sale paid by the First Buyer), if registration in the LTO of the transfer to the buyer occurs more than 3 years after the First Sale Date.
7. **Release of Housing Agreement** – Provided that the requirements of section 5(a)(iii) have been satisfied, the City shall execute a release of this Agreement from title to the Housing Unit in the LTO following the earlier of:
- (a) the 5th anniversary of the First Sale Date; and
 - (b) completion of a sale or transfer pursuant to section 6 that complies with the requirements of section 6, if (i) documentation and other written evidence satisfactory to the City has been provided to the City confirming compliance with paragraphs (a) and (b) of section 6, and (ii) the City has provided written confirmation that it is satisfied with such written evidence of compliance.

The Owner shall be responsible for preparing and registering the release in the LTO.

8. **Priority to First Buyer Mortgage** – The City shall grant priority over this Agreement to a mortgage registered against title to the Housing unit that is granted by the First Buyer to a chartered bank or credit union that finances the First Buyer’s purchase of the Housing Unit. The First Buyer shall be responsible for preparing and registering the priority agreement in the LTO against title to the Housing Unit.
9. **Lack of Qualified Buyers** – If, in relation to a building:
- (a) the Land has been subdivided in the manner contemplated by section 2(d);
 - (b) at least 6 months have passed following the issuance by the City of an occupancy permit for the building;
 - (c) the Owner has completed the sale of at least 90% of the strata lots in the Building that are not Housing Units;

the Owner may apply, in writing, to the City for release of this Agreement in relation to a Housing Unit in that building that has never been occupied by any person and has never been sold to a Qualified Buyer, if the Owner has been unable to sell that Housing Unit to a Qualified Buyer because there has been an insufficient number of Qualified Buyers approved by the City.

If the Owner makes such an application to the City and:

- (d) the Owner establishes, to the written satisfaction of the City, that the Owner has been unable to sell that Housing Unit to a Qualified Buyer because there has been an insufficient number of Qualified Buyers approved by the City;
- (e) the Owner continues to be unable to sell the Housing Unit to a Qualified Buyer for the foregoing reason for a period of 120 days following the making of such application to the City and the City confirms its satisfaction, in writing that this is the case; and
- (f) the City is satisfied that the Owner is not in breach of any of its obligations under this Agreement;

then the City shall execute a release of this Agreement from title to that Housing Unit in the LTO, which release shall be prepared and registered by and at the expense of the Owner.

10. **City Approval of Qualified Buyer & City Relaxation of Qualified Buyer Criteria** – If the City approves, in writing, of an individual as having qualified as a Qualified Buyer, that individual shall be considered to be a Qualified Buyer for the purposes of this Agreement, subject to any qualifications and limitations imposed by the City in such written approval. The City may at any time and from time to time relax any or all of the Qualified Buyer criteria specified in this Agreement.
11. **City Contribution to 5% Down Payment** – If the City approves, in writing, of an individual as having qualified as a Qualified Buyer and that Qualified Buyer is the First Buyer of the Housing Unit, the City will provide a grant to the Qualified Buyer on the First Sale Date based on the Qualified Buyer’s Household Income, as follows:

- (a) Household Income of less than \$99,999 will receive a grant in the amount of 75% of the 5% down payment;
 - (b) Household Income of between \$100,000 and \$114,999 will receive a grant in the amount of 50% of the 5% down payment; and
 - (c) Household Income of between \$115,000 to \$125,000 will receive a grant in the amount of 25% of the 5% down payment.

- 12. **Notice on Title** – The Owner acknowledges and agrees that this Agreement constitutes both a covenant under section 219 of the *Local Government Act* and a housing agreement under section 483 of the *Local Government Act*, and that the City will file in the LTO a notice that the Lands are subject to this Agreement as required by section 483 of the *Local Government Act*.

- 13. **Municipal Permits** – The Owner agrees that the City may withhold building permits and occupancy permits with respect to any building or other structure from time to time constructed or proposed to be constructed on the Land, as the City may, in its sole discretion, consider necessary to ensure compliance with this Agreement.

- 14. **Specific Relief** – The Owner agrees that the public interest in ensuring that all of the provisions of this Agreement are complied with strongly favours the award of a prohibitory or mandatory injunction, or an order for specific performance or other specific relief, by the Supreme Court of British Columbia at the instance of the City, in the event of an actual or threatened breach of this Agreement.

- 15. **No Effect on Powers** – Nothing in this Agreement shall:
 - (a) affect or limit the discretion, rights or powers of the City or the City’s Approving Officer under any enactment or at common law, including in relation to the use, development or subdivision of the Land;
 - (b) affect or limit any enactment relating to the use, development or subdivision of Land; or
 - (c) relieve the Owner from complying with any enactment, including in relation to the use, development or subdivision of the Land.

- 16. **City Discretion** – Where the City or a representative of the City is required or permitted under this Agreement to form an opinion, exercise a discretion, express satisfaction, make a determination or give its consent:
 - (a) the relevant provision shall not be considered fulfilled unless the approval, opinion, determination, consent or expression of satisfaction is in writing signed by the City or the representative, as the case may be;
 - (b) the approval, opinion, determination, consent or satisfaction is in the sole discretion of the City or the representative, as the case may be; and
 - (c) the City or the representative, as the case may be, is under no public law duty of fairness or natural justice in that regard and the City or the representative may do any of those

things in the same manner as if it were a private person and not a public body or employee or officer thereof.

17. **No Obligation to Enforce** – The rights given to the City under this Agreement are permissive only and nothing in this Agreement shall give rise to any legal duty of any kind on the City to anyone or obligate the City to enforce this Agreement or to perform any act or incur any expense.
18. **Agreement Runs with Land** – This Agreement shall burden and run with, and bind the successors in title to, the Land and each and every part into which the Land may be subdivided by any means (including by deposit of a strata plan of any kind under the *Strata Property Act* (British Columbia)).
19. **Waiver** – No waiver by the City of any requirement or breach of this Agreement shall be effective unless it is an express waiver in writing that specifically references the requirement or breach and no such waiver shall operate as a waiver of any other requirement or breach or any continuing breach of this Agreement.
20. **Remedies** - No reference to or exercise of any specific right or remedy by the City shall prejudice or preclude the City from exercising any other right or remedy, whether allowed at law or in equity or expressly provided for in this Agreement, and no such right or remedy is exclusive or dependent upon any other such remedy and the City may from time to time exercise any one or more of such remedies independently or in combination.
21. **Priority** – The Owner shall cause this Agreement to be registered in the LTO against title to the Land with priority over all financial liens, charges and encumbrances, and any leases and options to purchase, registered or pending registration at the time of application for registration of this Agreement, including by causing the holder of each such lien, charge, encumbrance, lease or option to purchase to execute an instrument in a form required by the City under which such holder postpones all of the holder's rights to those of the City under this Agreement in the same manner and to the same extent as if such lien, charge, encumbrance, lease or option to purchase had been registered immediately after the registration of this Agreement.
22. **Modification** – This Agreement may not be modified except by an agreement or instrument in writing signed by the Owner or its successor in title and the City or a successor or assignee.
23. **Further Assurances** – The Owner shall do and cause to be done all things, including by executing further documents, as may be necessary to give effect to the intent of this Agreement.
24. **Owner's Expense** – The Owner shall perform its obligations under this Agreement at its own expense and without compensation from the City.
25. **Severance** – If any part of this Agreement is for any reason held to be invalid by a decision of a court with the jurisdiction to do so, the invalid portion is to be considered severed from the rest of this Agreement and the decision that it is invalid shall not affect the validity or enforceability of the remainder of this Agreement.
26. **Interpretation** - In this Agreement:
 - (a) reference to the singular includes a reference to the plural, and vice versa, unless the context requires otherwise;

- (b) article and section headings have been inserted for ease of reference only and are not to be used in interpreting this Agreement;
 - (c) the term “enactment” has the meaning given to it under the *Interpretation Act* (British Columbia) on the reference date of this Agreement;
 - (d) reference to any enactment includes any regulations, orders or directives made under the authority of that enactment;
 - (e) reference to any enactment is a reference to that enactment as consolidated, revised, amended, re-enacted or replaced from time to time, unless otherwise expressly provided;
 - (f) reference to a particular numbered section, or to a particular lettered schedule, is, unless otherwise expressly provided, a reference to the correspondingly numbered section or lettered schedule of this Agreement;
 - (g) all Schedules to this Agreement form an integral part of this Agreement;
 - (h) time is of the essence; and
 - (i) where the word "including" is followed by a list, the contents of the list are not intended to limit or otherwise affect the generality of the expression preceding the word "including".
27. **Governing Law** – This Agreement shall be governed by and construed in accordance with the laws of the Province of British Columbia, which shall be deemed to be the proper law hereof.
28. **Enurement** – This Agreement hereof shall enure to the benefit of the parties and their respective successors and assigns, as the case may be.
29. **Entire Agreement** – This Agreement is the entire agreement between the parties regarding its subject.
30. **Execution in Counterparts & Electronic Delivery** - This Agreement may be executed in any number of counterparts and delivered by e-mail, each of which shall be deemed to be an original and all of which taken together shall be deemed to constitute one and the same instrument, provided that any party delivering this Agreement by e-mail shall also deliver to the other party an originally executed copy of this Agreement.

As evidence of their agreement to be bound by this Agreement, the parties have executed the *Land Title Act* Form C attached to and forming part of this Agreement.

Attach Schedules:

Schedule A – Construction Requirements (for each Unit Type)

PRIORITY AGREEMENT

This Priority Agreement is between _____ (the "**Prior Chargeholder**"), being the registered owner and holder of _____ (the "**Prior Charges**"), and _____ being the registered owner and holder of the section 219 covenant and housing agreement to which this Priority Agreement is attached (the "**Subsequent Charge**").

In consideration of the sum of ten dollars (\$10.00) now paid to the Prior Chargeholder and other good and valuable consideration, the receipt and sufficiency of which the Prior Chargeholder acknowledges, the Prior Chargeholder hereby approves of and consents to the granting of the Subsequent Charge and hereby postpones all of the Prior Chargeholder's rights under the Prior Charges to the rights of the City under the Subsequent Charge in the same manner and to the same extent as if the Prior Charges had been registered immediately after the Subsequent Charge.

As evidence of its agreement to be bound by this Priority Agreement, the Prior Chargeholder has executed the *Land Title Act* - Form C attached to and forming part of this Priority Agreement.

Schedule A - Construction Requirements

1. Housing Unit Size (Gross Floor Area excluding decks) must not be less than:
 - a. One-Bedroom Units: 525 square feet;
 - b. One-Bedroom (with Den) Units: 580 square feet;
 - c. Two-Bedroom Units: 750 square feet; and
 - d. Three-Bedroom Units: 900 square feet.
2. Minimum bedroom size for all Housing Unit bedrooms: 10 ft by 10 ft (excluding closets).
3. Each Housing Unit shall be constructed as a self-contained dwelling unit designed and constructed for residential use by a single household, and contain, each in a separate room, a separate kitchen, washroom (including a sink, toilet and shower/bathtub), eating area, living room and bedroom(s).
4. Each Two-Bedroom Unit and Three-Bedroom Unit must include two washrooms.
5. Each Housing Unit shall be fully equipped with appliances, including fridge, stove, dishwasher, micro-wave and washer dryer.
6. Each Housing Unit will be completely finished to the same standards as, and equipped with appliances of the same type and quality, as the other residential units contained in the building.



Staff Report to Council

DATE: Monday, January 10, 2022

DEPARTMENT: Planning

APPLICATION NO.: Z21-0037

SUBJECT: Introduce First Reading of Bylaw No. 2014 - Application to Rezone 3420 Luxton Rd, 1120 Finney Rd, and 3219 & 3235 Loledo Pl from RR2 (Rural Residential 2) to RS1 (Residential Small Lot 1) to allow a mix of small lots, large lots with suites, duplexes, and

BACKGROUND:

Sean Lubick has applied on behalf of 1299107BC Ltd., Sheila and Doug Popadyne, and Telluride Holdings Inc. to rezone 3420 Luxton Road, 1120 Finney Road, and 3219 and 3235 Loledo Place from RR2 (Rural Residential 2) to RS1 (Residential Small Lot 1) to allow a mix of small lots, large lots with suites, duplexes (two-family dwellings), and townhomes.

On December 13th, 2021, the Planning, Zoning, and Affordable Housing Committee recommended that Council proceed with the above noted application. As the Bylaw to rezone the properties as recommended has now been prepared, Council may wish to give First Reading to Bylaw 2014.

OPTIONS:

Option 1

THAT Council give First Reading to Bylaw No. 2014.

OR Option 2

THAT Council take no action at this time in regard to Bylaw No. 2014.

SUBMITTED BY: Julia Buckingham, Planner II

Concurrence: Leah Stohmann, MCIP, RPP, Deputy Director of Planning and Subdivision

Concurrence: Donna Petrie, Manager of Business Development and Events

Concurrence: Matthew Baldwin, MCIP, RPP, Director of Planning and Subdivision

Concurrence: Michelle Mahovlich, P.Eng, P.Geo, Director of Engineering and Public Works

Concurrence: Michael Dillabaugh, CPA, CA, Director of Finance

Concurrence: Marie Watmough, Acting Director of Corporate Services

Concurrence: Darren Kiedyk, Chief Administrative Officer

**CITY OF LANGFORD
BYLAW NO. 2014**

**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 (RR2) Zone and adding to RS1 (Residential Small Lot 1) Zone the properties legally described as:

- Lot A, Section 88, Metchosin District, Plan EPP43238, PID No. 029-377-994 (3420 Luxton Road);
- The Northerly 300 Feet of Lot 10, Block B, Sections 88 and 89, Metchosin District, Plan 1139, PID No. 005-630-037 (1120 Finney Road);
- Lot 1, Section 88, Metchosin District, Plan VIP76175, PID No. 025-806-530 (3219 Loledo Place); and
- Lot 2, Section 88, Metchosin District, Plan VIP76175, PID No. 025-806-548 (3235 Loledo Place)

in the portions as shown shaded on Plan No. 1 attached to and forming part of this Bylaw.

2. By adding as Section 6.20.01(3) "Dwelling, Two-Family" and renumbering the following sections accordingly;

3. By adding to Section 6.20.01(9) the following:

PID No. 029-377-994 (3420 Luxton Road); PID No. 005-630-037 (1120 Finney Road); PID No. 025-806-530 (3219 Loledo Place); and PID No. 025-806-548 (3235 Loledo Place)

4. By adding as Section 6.20.04 the following text, and then renumbering the following sections and references accordingly;

6.20.04 Regulations of Use

- (1) A **two-family dwelling** use is subject to the regulations of the R2 Zone and not the regulations of this zone;
- (2) A **townhouse** use is subject to the regulations of the RT1 Zone and not the regulations of this zone;

5. 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)
RR2 to RS1	2014	<p>Lot A, Section 88, Metchosin District, Plan EPP43238, PID No. 029-377-994 (3420 Luxton Road);</p> <p>The Northerly 300 Feet of Lot 10, Block B, Sections 88 and 89, Metchosin District, Plan 1139, PID No. 005-630-037 (1120 Finney Road);</p> <p>Lot 1, Section 88, Metchosin District, Plan VIP76175, PID No. 025-806-530 (3219 Loledo Place)</p> <p>Lot 2, Section 88, Metchosin District, Plan VIP76175, PID No. 025-806-548 (3235 Loledo Place)</p>	<p>a) \$6,000 per new single-family lot created towards the General Amenity Reserve Fund; and</p> <p>b) \$3,960 per new single-family lot less than 550 m² or half duplex created towards the General Amenity Reserve Fund; and</p> <p>c) \$3,660 per new townhouse unit created towards the General Amenity Reserve Fund; and</p> <p>d) \$1,000 per new single-family lot created towards the Affordable Housing Reserve Fund; and</p> <p>e) \$660 per new single-family lot less than 550 m² or half duplex created towards the Affordable Housing Reserve Fund; and</p> <p>f) \$610 per new townhouse unit created towards the Affordable Housing Reserve Fund.</p>	No

B. This Bylaw may be cited for all purposes as "Langford Zoning Bylaw, Amendment No. 646, (3420 Luxton Road, 1120 Finney Road, and 3219 and 3235 Loledo Place), Bylaw No. 2014, 2022".

READ A FIRST TIME this day of, 2021.

PUBLIC HEARING held this day of , 2022.

READ A SECOND TIME this day of , 2022.

READ A THIRD TIME this day of , 2022.

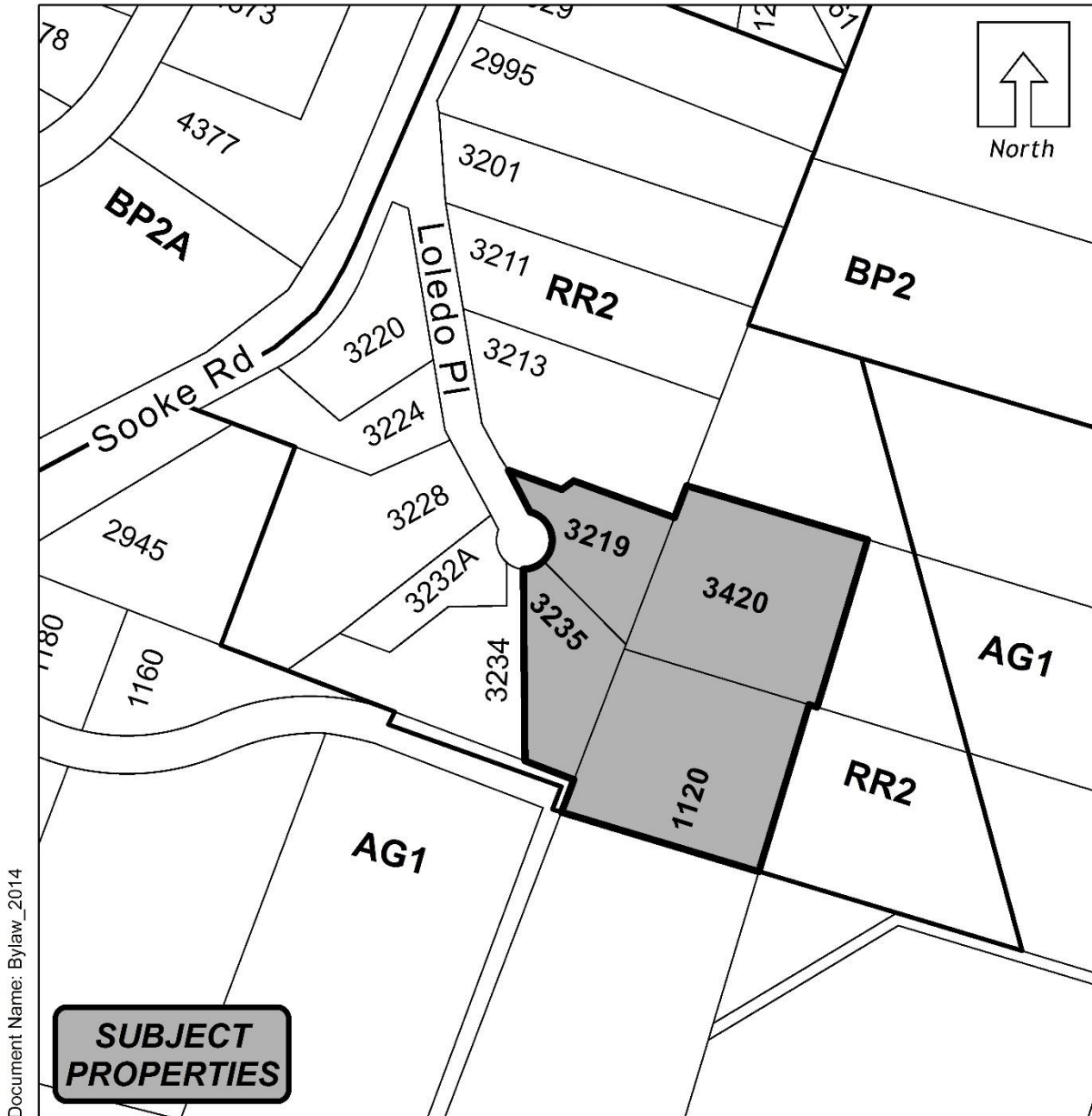
APPROVED BY THE MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE this day of , 2022.

ADOPTED this day of , 2022.

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. 2014

ADOPTION: _____

Scale: N.T.S.

MAYOR

CORPORATE OFFICER

Last Revised: 11/10/2021

**CITY OF LANGFORD
BYLAW NO. 2019**

**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 One- and Two-Family Residential (R2) Zone and adding to City Centre (CC1) Zone the properties legally described as:

- Lot 3, Section 79, Esquimalt District, Plan 10124, PID No. 000-059-803 (986 and 988 Bray Avenue) and
- Lot 4, Section 79, Esquimalt District, Plan 10124, PID No. 000-138-088 (982 and 984 Bray Avenue)

in the 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)
CC1	2019	Lot 3, Section 79, Esquimalt District, Plan 10124, PID NO. 000-059-803, 986 and 988 Bray Avenue); Lot 4, Section 79, Esquimalt District, Plan 10124, PID NO. 000-138-088 (982 and 984 Bray Avenue).	a) \$2,850 per new residential unit created on the 1 st to 4 th storeys of the building towards the General Amenity Reserve Fund; and b) \$1,425 per new residential unit created on the 5 th and 6 th storeys of the building towards the General Amenity Reserve Fund; and c) \$750 per new residential unit created on the 1 st to 4 th storeys of the building towards the Affordable Housing Reserve Fund; and d) \$375 per new residential unit created on the 5 th and 6 th storeys of the building towards the Affordable Housing Reserve Fund.	No

B. This Bylaw may be cited for all purposes as "Langford Zoning Bylaw, Amendment No. 650, (982, 984, 986, and 988 Bray Avenue), Bylaw No. 2019, 2022".

READ A FIRST TIME this day of, 2022.

PUBLIC HEARING held this day of , 2022.

READ A SECOND TIME this day of , 2022.

READ A THIRD TIME this day of , 2022.

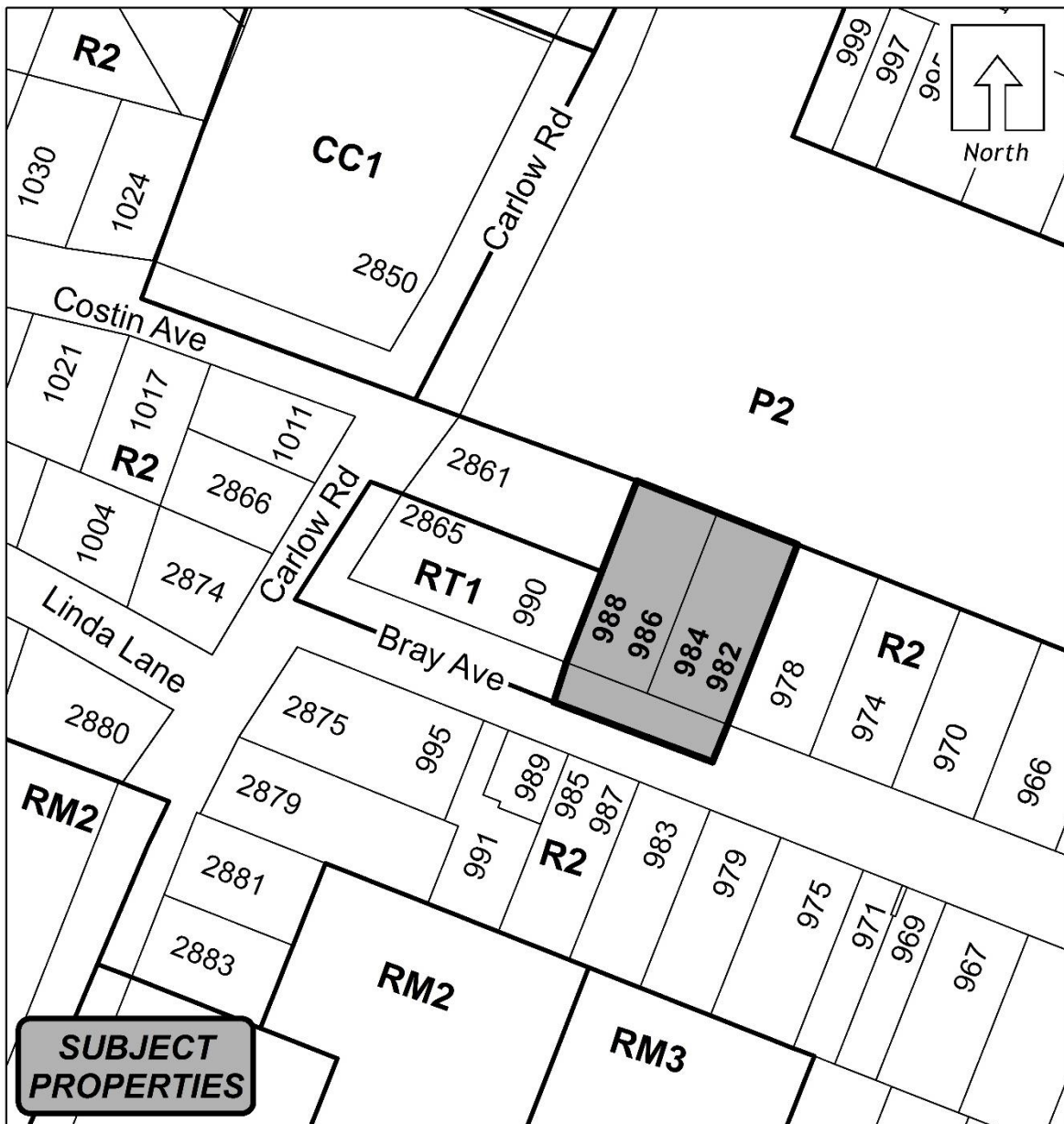
APPROVED BY THE MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE this day of , 2022.

ADOPTED this day of , 2022.

PRESIDING COUNCIL MEMBER

CORPORATE OFFICER

Schedule A



**CITY OF LANGFORD
BYLAW NO. 2027**

**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 Section 6.31A.02(1) with the following:

"No lot having a lot area less than 1,600 m² may be created by subdivision".

2. By deleting from the One- and Two-Family Residential (R2) Zone and adding to Attached Housing (RM2A) Zone a portion of the property legally described as Lot B, Sections 108 and 109, Esquimalt District, Plan VIP52985, PID No. 017-471-010 (629 Rockingham Road) in the portions as shown shaded on Plan No. 1 attached to and forming part of this Bylaw.

3. 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)
RM2A	2027	Lot B, Sections 108 and 109, Esquimalt District, Plan VIP52985, PID NO. 017-471-010 (629 Rockingham Road)	a) \$3,660 towards the General Amenity Reserve Fund for the creation of a townhouse unit; and b) \$610 towards the Affordable Housing Reserve Fund for the creation of a townhouse unit;	No

B. This Bylaw may be cited for all purposes as "Langford Zoning Bylaw, Amendment No. 653, (629 Rockingham Road), Bylaw No. 2027, 2022".

READ A FIRST TIME this day of, 2022.

PUBLIC HEARING held this day of , 2022.

READ A SECOND TIME this day of , 2022.

READ A THIRD TIME this day of , 2022.

APPROVED BY THE MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE this day of , 2022.

ADOPTED this day of , 2022.

PRESIDING COUNCIL MEMBER

CORPORATE OFFICER

Schedule A

