



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

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**DATE:** Monday, March 28, 2022

**DEPARTMENT:** Planning

**APPLICATION NO.:** OCP21-0005 and Z21-0047

**SUBJECT:** Bylaw No. 2061: Application to amend the Official Community Plan designation of a portion of the properties at 2207, 2213, 2217, 2155 Millstream Road and a portion of land formerly known as Hordon Road from “Business or Light Industrial” and “Neighbourhood” to “Mixed- Use Employment Centre”; AND Bylaw No. 2062: Application to amend the text of a portion of the properties at 2207, 2155, 2217 and 2213 Millstream Road and a portion of land that was formerly Hordon Road to allow for additional permitted uses.

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## **PURPOSE:**

Les Bjola of Turner Lane Development Corporation has applied on behalf of Reid Kaufmann and Marc MacCaull of Langford Heights Development LP to:

- Amend the Official Community Plan designation of a portion of the properties at 2207, 2213, 2217, 2155 Millstream Road and a portion of land formerly known as Hordon Road from “Business or Light Industrial” and “Neighbourhood” to “Mixed- Use Employment Centre”;
- Amend the text of a portion of 2207, 2155, 2217 and 2213 Millstream Road and a portion of land that was formerly Hordon Road to allow for additional permitted uses and density amendments in the shaded area as shown in Appendix B.

## **BACKGROUND:**

### **PREVIOUS APPLICATIONS**

The City issued a Temporary Use Permit (TUP19-0009) in 2019 to allow for a driver testing facility for large trucks and motorcycles. This permit expires in November 2022.

The City issued a Temporary Use Permit (TUP15-0003) in 2015 to allow a daycare and church use. This permit expired on October 15<sup>th</sup>, 2017. The TUP application was followed by a rezoning application to include a daycare and church into the CR1 (Commercial Recreational) Zone. That zoning was approved in September 2017.

**Table 1: Site Data**

<i>Applicant</i>	Les Bjola, Turner Lane Development Corporation	
<i>Owner</i>	Reid Kaufmann and Marc MacCaull, Langford Heights Development LP	
<i>Civic Address</i>	2207 Millstream Road	
<i>Legal Description</i>	<p><b>2207 Millstream Road:</b> Lot A, Sections 2 and 3 Range 3 West, Highland District Plan VIP53467 Except Plans EPP55578, EPP64255, and EPP111153 PID No. 017-612-675;</p> <p><b>2213 Millstream Road:</b> Lot 9, Section 2, Range 3 West, Highland District, Plan 8693 Except Part in Plan EPP111153, PID No. 000-727-881</p> <p><b>2217 Millstream Road:</b> Lot 8, Section 2, Range 3 West, Highland District, Plan 8693 Except Part in Plan EPP111153, PID No. 005-418-101</p> <p><b>2155 Millstream Road:</b> Lot 1, Section 3, Range 3 West, Highland District Plan 16585 Except Plans EPP64255 and EPP111153, PID No. 003-991-059</p> <p><b>Formerly Hordon Road:</b> Part of Road Dedicated by Plan 8883, Section 2, Range 3 West, Highland District, To Accompany the City of Langford Road Closure Bylaw No. 1591, PID No. 030-085-519</p>	
<i>Size of Property</i>	32.37 ha (81.29 acres)	
<i>DP Areas</i>	200 Year Floodplain, Riparian, Potential Habitat and Biodiversity	
<i>Zoning Designation</i>	Existing: Business Park 9 – Millstream Road Northeast (BP9)	Proposed: Business Park 9 – Millstream Road Northeast (BP9)
<i>OCP Designation</i>	Existing: Business or Light Industrial and <b>Neighbourhood</b>	Proposed: Business or Light Industrial and <b>Mixed-Use Employment Centre</b>

#### **SITE AND SURROUNDING AREA**

The subject property is situated on the east side of Millstream Road and is bisected by Millstream Creek (running north to south). The surrounding lands (with the exception of lands to the north) have increasingly densified as residential development over the past 20 years.

The subject property has been heavily altered by mining activity in recent years. The easterly edge of the property has been largely undisturbed and sits on a higher elevation than the majority of the site, sharing a similar elevation to the residential area of the Phelps subdivision to the east.

Figure 1: Subject Property



Table 2: Surrounding Land Uses

	<b>Zoning</b>	<b>Use</b>
<i>North</i>	M2 General Industrial	Industrial
<i>East</i>	Various Residential	Residential, Thetis Lake Regional Park Residential
<i>South</i>	Various Residential	Residential
<i>West</i>	Various Residential and Park	Residential

## **COUNCIL POLICY**

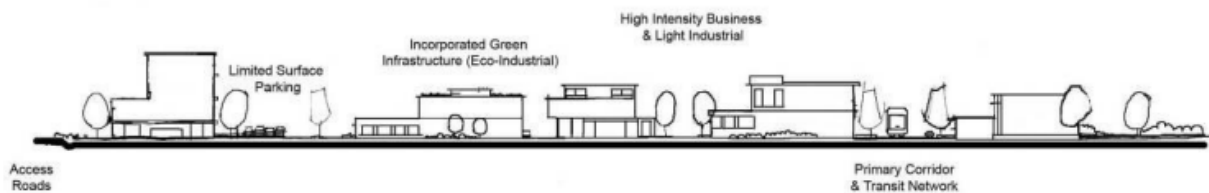
### **OFFICIAL COMMUNITY PLAN**

The Official Community Plan (OCP) Bylaw No. 1200 designates the subject property as “Business or Light Industrial” and “Neighbourhood”, which is defined by the following text:

#### **Business or Light Industrial**

- Predominantly business and light industrial precinct that supports a range of business uses
- Parks, open spaces are integrated throughout the centre where appropriate to serve users and employees and green corridors that connect to other parts of the community where appropriate
- Transit stops are located at centres where appropriate

#### **A Concept for Business or Light Industrial Centre**



#### **Neighbourhood**

- Predominantly residential precinct that supports a range of low and medium density housing choices including secondary suites
- This area allows for residential and mixed use commercial intensification of streets that connect centres and/or area serviced by transit
- Schools, community facilities and other institutional uses are permitted throughout the area

### **DEVELOPMENT PERMIT AREAS**

The subject properties are bisected (north to south) by Millstream Creek. The applicant will have to engage a registered professional biologist (R.P. Bio.) to undertake preliminary investigations with regards to the associated Riparian Area. The City can expect the R.P. Bio to establish a Streamside Protection Enhancement Area (SPEA) within which no activity, other than stream restoration and enhancement can occur.

A portion of the subject properties are also with the designated 200-year Floodplain. Any alteration of land which might impact the floodplain must be explained to the satisfaction of the City Engineer in a Stormwater Management Plan.

**COMMENTARY:**

**DEVELOPMENT PROPOSAL**

The proposal is to amend the Official Community Plan designation of a portion of the properties at 2207, 2213, 2217, 2155 Millstream Road and a portion of land formerly known as Hordon Road from “Business or Light Industrial” and “Neighbourhood” to “Mixed- Use Employment Centre” to allow for residential zoning and will result in a 1.25 parking ratio per unit.

The applicant wishes to amend the text of those portions of 2207, 2155, 2217 and 2213 Millstream Road and land that was formerly Hordon Road, all shaded areas in Appendix B, to allow for additional uses, those being townhouses and apartments.

The remainder of the property at 2207 Millstream Road will remain the same, which would not permit townhouses or apartments.

The applicant has also proposed the density of development permitted in the shaded areas in Appendix B, be limited to 150 residential units, unless a film studio is built elsewhere in the BP9 zone. If a film studio has been issued a building permit above the foundation within the BP9 zone, the density of development will be a maximum floor area ratio (FAR) of 4.0.

As a Hotel is already a permitted use within the BP9 zone and a film studio is proposed to be tied to the residential density, Council may wish to direct staff to eliminate a subsection within the BP9 zone to allow a Hotel without a Film Production Studio existing.

Additionally, the applicant has proposed to provide a minimum of 5% of units constructed in any multi-family residential buildings within the BP9 zone be directed to the Attainable Home Ownership Program. The proposed will consist of a variety of unit types laid out in the Attainable Home Ownership Program, further discussions on unit mix will be determined at a later date.

The ultimate frontage of Millstream Road for this entire property will be completed by Summer 2022. This includes a new roundabout at Bear Mountain Parkway and Millstream Road that will be the main entry to the subject property. Therefore, no additional frontage improvements are triggered by this proposed rezoning.

**FINANCIAL IMPLICATIONS:**

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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. Development Cost Charges will be paid in accordance with the City’s DCC bylaw. As the number of units have not been

proposed, the amenity contributions will be captured at the Building Permit process. All units created for the Attainable Home Ownership Program are not required to contribute to the Affordable Housing Contribution Policy.

**OPTIONS:**

**Option 1**

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

1. Proceed with consideration of Bylaw No. 2061 to amend the Official Community Plan designation of a portion of the properties at 2207, 2213, 2217, 2155 Millstream Road and a portion of land formerly known as Hordon Road from “Business or Light Industrial” and “Neighbourhood” to “Mixed- Use Employment Centre.
2. Proceed with consideration of Bylaw No. 2062 to amend the text of a portion of the properties at 2207, 2155, 2213, 2217 Millstream Road and a portion of land formerly known as Hordon Road within “Business Park 9 – Millstream Road Northeast” (BP9) Zone to allow for townhouses and apartments as permitted uses, allow for a maximum height limit of 12 storeys within the shaded areas shown in Appendix B and eliminate section 6.69C.02(3) from the BP9 zone.
3. Require a minimum 5% of units constructed in any multi-family residential buildings be directed towards the Attainable Home Ownership Program, to be secured prior to issuance of a building permit and provide a variety of unit types and, restrict the density within the shaded areas shown in Appendix B to 150 residential units unless a film studio is built elsewhere within the BP9 zone, after which the maximum density is a floor area ratio of 4.0.

**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. 2061 and Bylaw 2062.

**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

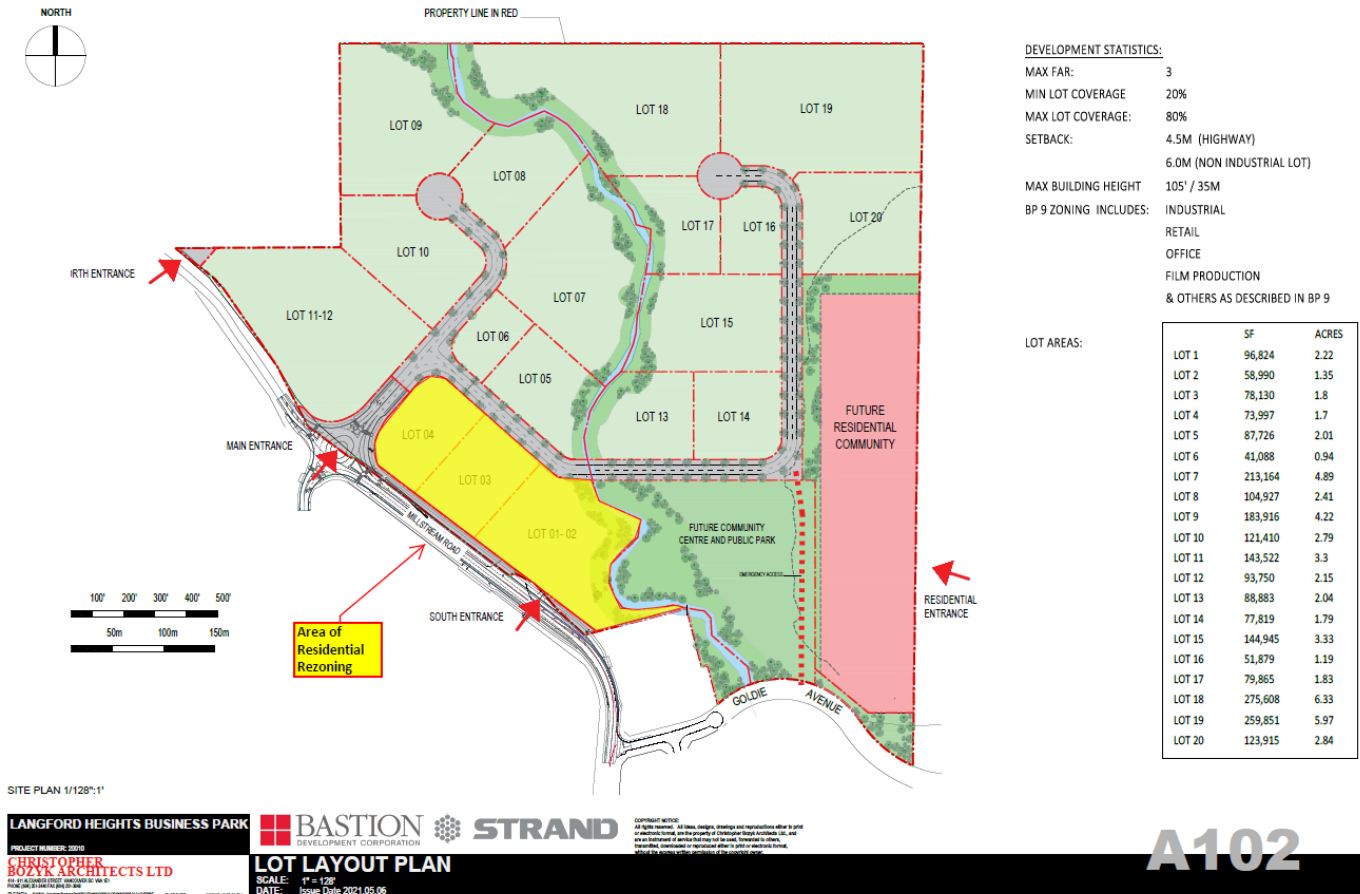
**Concurrence:** Michael Dillabaugh, CPA, CA, Director of Finance

**Concurrence:** Marie Watmough, Acting Director of Corporate Services

**Concurrence:** Darren Kiedyk, Chief Administrative Officer

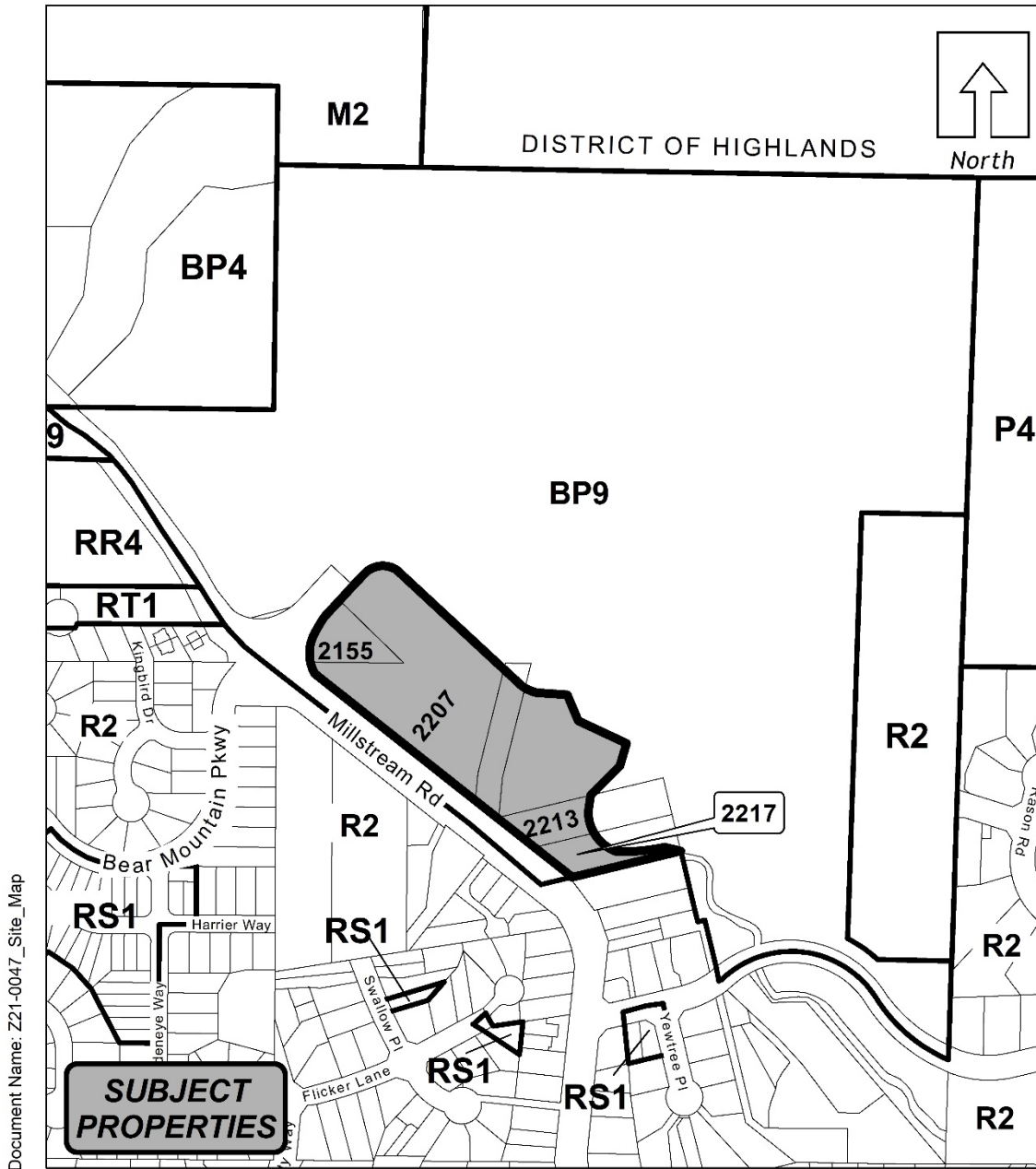


## Appendix A – Site Plan



Appendix B – Site Map

**REZONING BYLAW AMENDMENT**  
**( Z21-0047 )**  
**2155, 2207, 2213 & 2217 Millstream Rd**



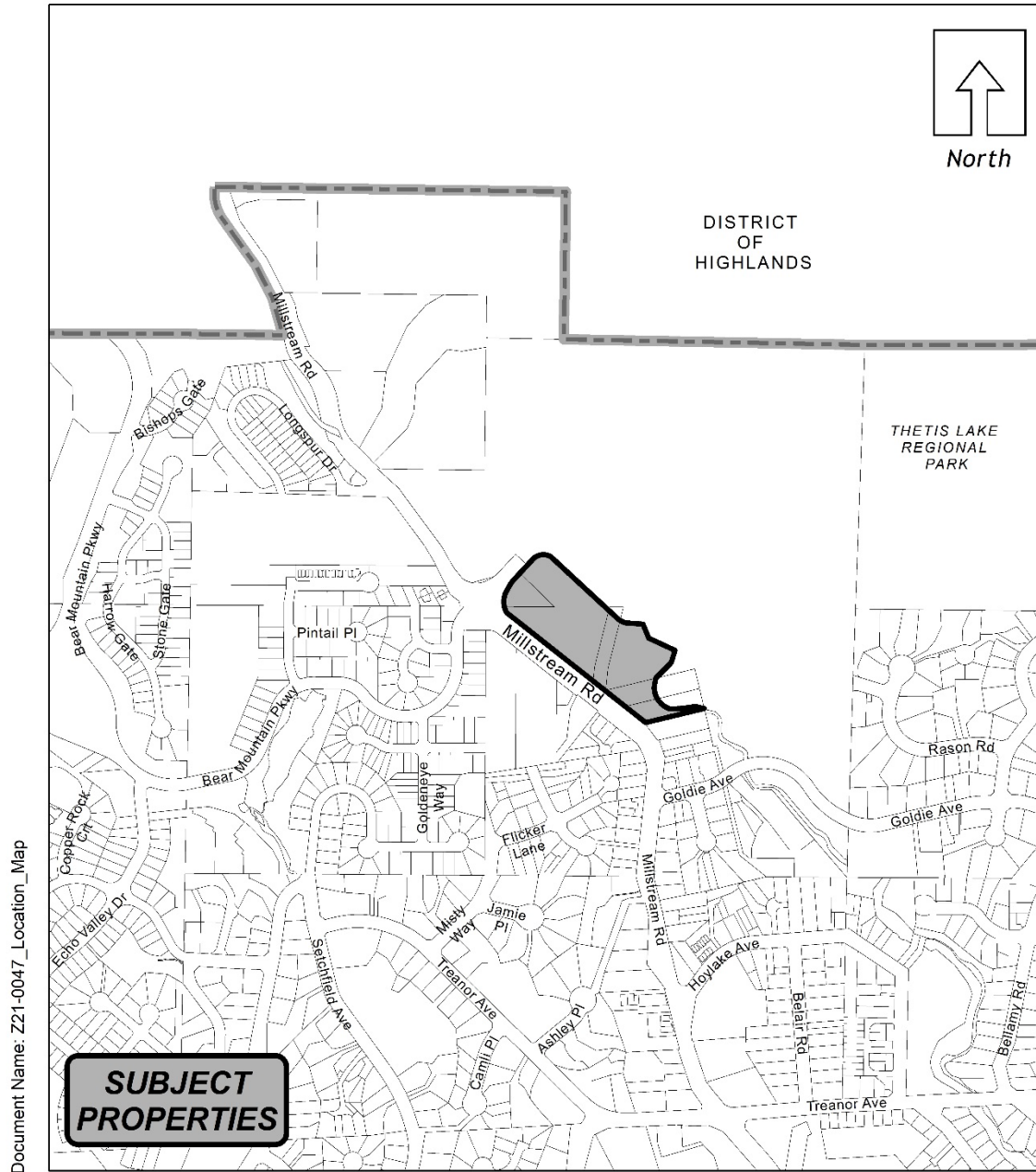
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Last Revised: 2022-03-14



**Appendix C – Location Map**

**REZONING BYLAW AMENDMENT  
( Z21-0047 )  
2155, 2207, 2213 & 2217 Millstream Rd**



Scale: N.T.S.

Last Revised: 2022-03-14