



Sustainable Development Advisory Committee Agenda

Monday, September 9, 2024, 7:00 PM
Council Chambers & Electronic Meeting

To Join a Meeting:

Log into Zoom.us or the Zoom app on your device.

Enter the Meeting ID: 870 9316 3922

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To Participate: Press Star (*) 9 to "raise your hand".

Participants will be unmuted one by one when it is their turn to speak.

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

We may experience a delay in opening the meeting due to technical difficulties. In the event that the meeting does not start as scheduled please be patient and stay on the line, we will get started as quickly as possible.

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

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City of Langford

Sustainable Development Advisory Committee Minutes

August 12, 2024, 7:00 p.m.

Council Chambers & Electronic Meeting

PRESENT:	Councillor L. Szpak - Chair	B. Gordon - Remote
	Councillor M. Wagner - Vice-Chair - Remote	M. McNaughton
	Councillor K. Guiry	K. Nentwig
	V. Dumitru	
ATTENDING:	M. Baldwin, Director of Development Services	B. Agland, System Administrator
	K. Balzer, Director of Engineering and Public Works	B. Boisvert, Legislative Services Administrative Coordinator
	M. Miles, Manager of Legislative Services	

Meeting available by teleconference.

1. CALL TO ORDER

The Chair called the meeting to order at 7:00 pm.

2. TERRITORIAL ACKNOWLEDGEMENT

Committee member V. Dumitru read the City of Langford's Territorial Acknowledgment.

3. MEETING CONDUCT RULES

M. Miles, Manager of Legislative Services, read the City of Langford's meeting conduct rules.

4. APPROVAL OF THE AGENDA

MOVED BY: GUIRY

SECONDED: NENTWIG

THAT the Committee approve the agenda as presented with the amendment of adding item 5. Chair's Comments and renumbering the agenda accordingly.

Motion CARRIED.

5. CHAIR'S COMMENTS

Councillor Szpak, Chair of the Sustainable Development Advisory Committee acknowledged the passing of former Councillor Roger Wade. The Chair extended condolences to the Wade family.

The Chair stated interviews were held for the two vacancies on the Sustainable Development Advisory Committee and recommendations will be brought to an upcoming meeting of Council.

The Chair informed the Committee that the Council members that sit on the Committee take a shared leadership approach and therefore will be stepping down as the Chair of the Sustainable Development Advisory Committee and Councillor Guiry will be assuming the role of Chair in September. Councillor Wagner will remain in the role of Vice Chair of the Committee. Councillor Wagner will take over the role as Chair in September 2025. Councillor Guiry will assume the role of Vice Chair beginning September 2025.

6. ADOPTION OF THE MINUTES

6.1 Minutes of the Sustainable Development Advisory Committee Meeting - July 8, 2024

MOVED BY: NENTWIG

SECONDED: GUIRY

THAT the minutes of the Sustainable Development Advisory Committee meeting held July 8, 2024, be adopted as presented.

Motion CARRIED.

7. REPORTS

7.1 991 and 995 Latoria Daycare

M. Baldwin, Director of Development Services provided an overview of the application.

K. Sandhu, Applicant provided a presentation to the Committee.

The Chair opened the floor to the questions and comments from the Committee. M. Baldwin, Director of Development Services and K. Balzer, Director of Engineering and Public Works, and K. Sandhu, Applicant responded.

The Chair opened the floor to questions and comments from the public. There were none presented.

MOVED BY: MCNAUGHTON

SECONDED: DUMITRU

THAT the Sustainable Development Advisory Committee recommend that Council:

1. Proceed with consideration of First, Second, and Third Reading of Bylaw No. 2193 to amend the text of the section 3.26.02(10) of the Zoning Bylaw No. 300 to allow for a 100-child group daycare on the property located at 991 & 995 Latoria Road, subject to the following terms and conditions:

- a. That the applicant, **prior to Bylaw Adoption**, registers a Section 219 covenant in priority of all other charges on title, that agrees that the strata be responsible for maintaining the boulevard landscaping back of the sidewalk, with the exception of boulevard trees.

Motion CARRIED.

7.2 967A Isabell Avenue Rezoning

M. Baldwin, Director of Development Services provided an overview of the application.

R. Sansom, Applicant representative provided a presentation to the Committee.

The Chair opened the floor to questions and comments from the Committee. M. Baldwin, Director of Development Services, K. Balzer, Director of Engineering and Public Works, and R. Sansom, Applicant representative responded.

The Chair opened the floor to questions and comments from the public. There were none presented.

MOVED BY: NENTWIG

SECONDED: MCNAUGHTON

THAT the Sustainable Development Advisory Committee recommend that Council:

1. Proceed with consideration of First, Second, and Third Reading of Bylaw No. 2192, following public notification, to amend the zoning designation of the property located at 967A Isabell Avenue from RS1 and R2 to RT1 subject to the following terms and conditions:
 - a. That the applicant provides, **as a bonus for increased density**, the following contributions per dwelling unit, **prior to the issuance of a building permit**:
 - i. \$610 towards the Affordable Housing Reserve Fund; and
 - ii. \$3,660 towards the General Amenity Reserve Fund;
 - b. That the applicant provides, **prior to Bylaw Adoption**, a release of the covenant that was previously registered under CA5774371 through Bylaw No. 1646, and registers a Section 219 covenant 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 to the issuance of a building permit:
 1. Full frontage improvements; and
 2. A storm water management plan.
 - ii. That the following will be provided and implemented to Bylaw No. 1000 standards to the satisfaction of the Director of Engineering prior to any land alterations:

1. A mitigation plan;
 2. A construction parking and deliveries management; and
 3. An erosion and sediment control plan.
- iii. That, prior to the issuance of a Development Permit, the developer completes the process of road closure and disposition, and consolidates approximately 163.4m² of municipal road right of way into the subject property;
 - iv. That a separate covenant be registered, prior to issuance of a building permit for the proposed development, agreeing that the garages are to be used for the parking of vehicles and not the storage of items preventing the parking of vehicles therein, in favour of the strata;
 - v. That a separate covenant is registered, prior to issuance of a building permit for the proposed development agreeing that the strata be responsible for maintaining the boulevard landscaping from the back of the sidewalk with the exception of boulevard trees;
 - vi. That all concrete used on-site will utilize ready-mix concrete that meets or exceeds the weighted average Global Warming Potential targets based on Concrete BC Baseline (average) mix data, and that prior to the issuance of a Building Permit the applicant shall provide a Type III Environmental Product Declaration that is 3rd party verified specifying the total Global Warming Potential value and confirming that the proposed development meets the requirements of Low Carbon Concrete Policy POL-0167-PLAN;
 - vii. That electric heat pumps are installed in each townhouse unit;
 - viii. That tree protection measures, inclusive of tree protection fencing, are implemented prior to commencement of work to protect the trees identified for retention in the arborist report throughout the construction period. A written confirmation from the project arborist that the tree protection fencing was installed shall be submitted to the City, prior to the commencement of work, to the satisfaction of the Director of Parks, Recreation and Facilities;
 - ix. That the large diameter cypress tree currently existing within the frontage shall be retained. If the tree cannot be retained under the current proposal, the proposal shall be adjusted accordingly to ensure preservation of the tree. If mutually agreed upon by the developer and the City of Langford that the tree cannot be preserved, then a cash contribution based on the assessed value of the tree shall apply and be payable by the developer to the City of Langford, prior to occupancy permit. If the tree is removed without the consent of the City of Langford, the developer shall provide a cash contribution to the City equal to three (3) times the assessed value of the tree.

AND

2. Amend the text of Schedule AD of the Zoning Bylaw No. 300 to remove the amenity contributions related to Bylaw No. 1646;

AND

3. Direct staff to prepare a Bylaw to proceed with the road closure and disposition of approximately 163.4m² of municipal road right of way as shown on the Road Closure Plan, attached to this report.

AND

4. Authorize the Director of Development Services to issue the following variance in the Form and Character Development Permit:

- i. Section 6.28.07(d) be varied to reduce the minimum rear yard setback from the required 5.5m to 5.0m.

Motion CARRIED.

7.3 728 Massie and 2746 Dinan Rezoning

M. Baldwin, Director of Development Services provided an overview of the application.

S. Webb, Applicant representative provided a presentation to the Committee.

The Chair opened the floor to questions and comments from the Committee. M. Baldwin, Director of Development Services, K. Balzer, Director of Engineering and Public Works, and S. Webb, Applicant representative responded.

The Chair opened the floor to questions and comments from the public. There were none presented.

MOVED BY: NENTWIG

SECONDED: GUIRY

THAT the Sustainable Development Advisory Committee recommend that Council take no action with respect to this application to rezone 728 Massie Drive and 2746 Dinan Place under Bylaw No. 2097 until such time as the following items are addressed and reviewed by the Sustainable Development Advisory Committee:

- a. Substantial completion of the proposed development concept, including the commercial opportunities;
- b. Surface parking for any commercial opportunities;
- c. Water table depth; and
- d. Bicycle parking and alternative transportation opportunities.

Amendment:

MOVED BY: GUIRY

SECONDED: WAGNER

THAT the Sustainable Development Advisory Committee amend the Main Motion by adding:

- e. Early Guidance Guidelines for development be utilized.

Motion CARRIED.

Committee members M. McNaughton and V. Dumitru opposed.

On the Main Motion:

THAT the Sustainable Development Advisory Committee recommend that Council take no action with respect to this application to rezone 728 Massie Drive and 2746 Dinan Place under Bylaw No. 2097 until such time as the following items are addressed and reviewed by the Sustainable Development Advisory Committee:

- a. Substantial completion of the proposed development concept, including the commercial opportunities;
- b. Surface parking for any commercial opportunities;
- c. Water table depth;
- d. Bicycle parking and alternative transportation opportunities; and
- e. Early Guidance Guidelines for development be utilized.

Motion CARRIED.

Committee member V. Dumitru opposed.

7.4 3301 and 3894 Woodruff Rd TUP FedEx

Committee member M. McNaughton recused himself from the meeting at 8:34 pm. due to a direct pecuniary interest in the matter, as they are employed by the applicant.

M. Baldwin, Director of Development Services provided an overview of the application.

R. Sauder, CAO Scia'new First Nation (Beecher Bay) and Councillor T. Pateman, Scia'new First Nation (Beecher Bay) Chief R. Chipps, Scia'new First Nation (Beecher Bay), Applicants provided a presentation to the Committee.

The Chair opened the floor to questions and comments from the Committee. M. Baldwin, Director of Development Services, K. Balzer, Director of Engineering and Public Works, and S. Brennan, Applicant responded.

The Chair opened the floor to questions and comments from the public. K. Balzer, Director of Engineering and Public Works, Chief R. Chipps, Scia'new First Nation (Beecher Bay), Councillor T. Pateman, Scia'new First Nation (Beecher Bay) Applicant responded.

MOVED BY: DUMITRU

SECONDED: GUIRY

THAT the Sustainable Development Advisory Committee recommend that Council:

1. That Council direct staff to provide notice that Council will consider issuing a Temporary Use Permit for FedEx Freight to operate a mobile sorting facility business at 3301 Woodruff Road (Lot B PID 030-095-883 & Lot C PID 030-095-891), subject to the following terms and conditions:
 - a. That the Temporary Use Permit is issued for a period of three years from time of issuance;
 - b. That the operator of the business obtains a Business Licence from the City of Langford; and
 - c. That road access to the site is provided to the satisfaction of the Director of Engineering and the Fire Chief, prior to the issuance of a Business Licence.

Motion CARRIED.

8. ADJOURNMENT

MOVED BY: NENTWIG
SECONDED: DUMITRU

The Chair adjourned the meeting at 9:06 pm.

Motion CARRIED.

Presiding Council Member

Certified Correct - Corporate Officer



City of Langford

Staff Report to Sustainable Development Advisory Committee

DATE: Monday, September 9, 2024

DEPARTMENT: Planning

APPLICATION NO.: Z23-0028

SUBJECT: Application to Rezone 939 Klahanie Drive from Rural Residential 2 (RR2) to Rural Residential 5 (RR5) to allow for a Subdivision

EXECUTIVE SUMMARY:

Jesse Harris has applied to rezone 939 Klahanie Drive from the Rural Residential 2 (RR2) Zone to the Rural Residential 5 (RR5) Zone to allow for a subdivision of two 1-acre lots. Alternatively, if the rezoning is not supported, a variance is requested to increase the maximum gross floor area of a carriage house from 90m² (969ft²) to 325m² (3,500ft²).

BACKGROUND:

PREVIOUS APPLICATIONS

The City received a Development Permit application (DP22-0057) to add a carport onto the existing house. This DP was issued in September of 2022.

Table 1: Site Data

<i>Applicant</i>	Jesse Harris	
<i>Owner</i>	Jesse Harrie, Cindy Haris, Robert Range, and Loretta Harris	
<i>Civic Address</i>	939 Klahanie Drive	
<i>Legal Description</i>	Lot 7, Section 80, Metchosin District, Plan 22557	
<i>Size of Property</i>	0.9 hectares (2.2 acres)	
<i>DP Areas</i>	Fire Hazard Area (High), Habitat and Biodiversity, and Riparian Area,	
<i>Zoning</i>	Existing: Rural Residential 2 (RR2)	Proposed: Rural Residential 5 (RR5)
<i>OCP Designation</i>	Existing: Neighbourhood	Proposed: Neighbourhood

SITE AND SURROUNDING AREA

The subject property is located on the south side of Klahanie Drive and has a number of mature evergreen trees scattered throughout the property, with the largest stands near the front and rear property lines.

There is a single-family dwelling and several accessory buildings, both large and small, located on this property. The properties to the east, west, and north of this site are of a similar size and use, that being rural residential properties. The properties to the west are within the Agricultural Land Reserve. To the south is a relatively new development that created 23 lots that are typically 550m² (5,920 ft²) in size.

There are several passive park lots / open space properties within the vicinity of this site, while a bit further out there is an active ballpark just off Wild Ridge Way and the Galloping Goose Regional Trail on the west side of Happy Valley Road.

Figure 1: Current Condition of the Subject Property



Table 2: Surrounding Land Uses

	Zoning	Use
<i>North</i>	Rural Residential 2 (RR2)	Residential
<i>East</i>	Rural Residential 2 (RR2)	Residential
<i>South</i>	Rural Residential 6 (RR6)	Residential
<i>West</i>	Agriculture 1 (AG1)	Residential

Figure 2: Subject Property



COMMENTARY:

DEVELOPMENT PROPOSAL

The applicant is proposing to rezone the lands in order to create two 1-acre lots. However, without the ability to connect to municipal sewer, both Bylaw 300 and Bylaw 1000 note this is not permitted and therefore, would require Council to approve variances to these Bylaws to allow the subdivision.

In the preamble to the RR5 Zone in Bylaw 300, it states, *'The intent of the RR5 Zone is to permit one-family residential uses on smaller rural lots with community sanitary sewer service, and to maintain large lot areas where community sanitary service is not provided.'* The subdivision section of the RR5 zone further states, *'No lot having a lot area less than 40 ha (98.8 ac) may be created by subdivision unless that lot is serviced by the municipal sanitary sewer system.'*

Within the Sewage Collection and Disposal section of Bylaw 1000, it states, *'In areas not served by the municipal sewer, but contained within the West Shore Environmental Services contract area for sewer service [defined in the agreement dated September 20th, 2004 (Westshore Utility; Bylaw No. 876)], development (**except for any form of subdivision** other than a strata subdivision of a two-family dwelling) may occur without connection to the municipal sanitary sewer system"* provided certain conditions have been met. However, since the proposal is to facilitate a future subdivision, it is not included as one of the permitted forms of development if certain conditions have been met.

The restrictions to subdivisions without sewer have been relayed to the applicant, and an alternative solution was suggested; that being a carriage house. A carriage house is permitted under the existing zone and may be constructed without municipal sewer as long as *'confirmation of adequate septic capacity prior to the issuance of a building permit'* is provided.

However, a carriage suite must be located on the upper storey of an accessory building and cannot be larger than 90m² (968 ft²) in size. Due to these limitations, the applicant has then requested (if the rezoning is not supported) that the location and size of a carriage suite be varied to allow it to be a stand-alone building of approximately 325m² (3,500 ft²) in size.

Table 3: Proposal Data

	Permitted by RR2 (Current Zoning)	Permitted by RR5 (Proposed Zoning)
<i>Permitted Use</i>	One- or Two-Family Dwelling Equestrian Facility Suites, subject to Section 3.08*	One- or Two-Family Dwelling Group Daycare Suites, subject to Section 3.08
<i>Density</i>	1 lot per 4 ha (9.9 acres)	1 lot per 0.4 ha (1 acre) or per 40 ha (98.8 acres) without sewer*
<i>Height</i>	10.5m (34.4 ft)	10.5m (34.4 ft)
<i>Site Coverage</i>	n/a	n/a
<i>Front Yard Setback</i>	7.5m (24.6 ft)	7.5m (24.6 ft)

<i>Interior Side Yard Setback</i>	3.0m (9.8 ft)	3.0m (9.8 ft)
<i>Exterior Side Yard Setback</i>	3.0m (9.8 ft)	3.0m (9.8 ft)
<i>Rear Yard Setback</i>	10m (32.8 ft)	10m (32.8 ft)
<i>Vehicle Parking</i>	2 per dwelling	2 per dwelling

VARIANCES

Option A

If Council were supportive of the proposed rezoning to RR5, a variance would be required in order to allow for the subdivision without municipal sewer to be the same size of properties that have sewer.

Option B

If the rezoning was not supported but a larger carriage suite is, a variance would be required to allow for a stand-alone carriage suite to be 325m² (3,500 ft²) in size.

INFRASTRUCTURE

SEWERS

There are no municipal sewers at this location, and there currently are no plans to extend sewer along this portion of Klahanie Drive.

CRD WATER

There is a water main that runs the entire length of Klahanie Drive.

NEIGHBOURHOOD CONSULTATION

The applicant canvassed the neighbourhood and obtained nine signatures that supported the proposed subdivision.

PROVINCIAL LEGISLATION

Recent legislation that the Provincial Government passed requires municipalities to allow for increased density to help address housing needs across the province. However, there are circumstances in which exemptions are made for which the legislation would not apply. Two of these circumstances are for lots over 4,050m² (1.0 acre) in size and for lots not serviced by municipal sewer. Both apply in this situation, which echo's the City's bylaws to encourage and direct development to areas where municipal services already exist.

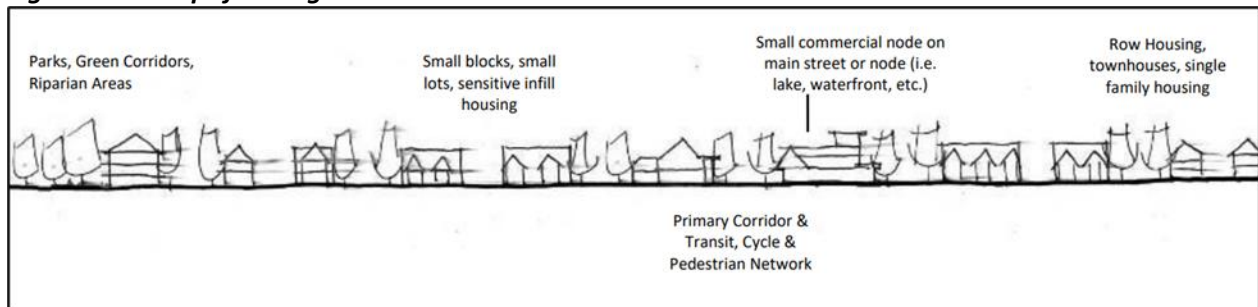
COUNCIL POLICY

OFFICIAL COMMUNITY PLAN

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

- Predominantly residential precinct that supports a range of low and medium density housing choices including secondary suites
- This area allows for residential and mixed-use commercial intensification of streets that connect centres and/or are serviced by transit
- Schools, community facilities and other institutional uses are permitted throughout the area
- Retail serving local residents is encouraged along transportation corridors
- Home-based businesses, live-work housing is encouraged
- Parks, open spaces and recreational facilities are integrated throughout the area
- This area allows for Neighbourhood Centres to emerge in the form of medium density mixed-use nodes at key intersections.

Figure 3: Concept for Neighbourhood



SOUTH LANGFORD NEIGHBOURHOOD PLAN

The South Langford Neighbourhood Plan designates the subject parcel as 'Large Lot Residential', which is intended to have larger residential lots but does allow clustered density in order to preserve and protect sensitive ecosystems within the region. The two areas in South Langford noted as having sensitive ecosystems are the Walfred Road and Klahanie Drive areas.

DEVELOPMENT PERMIT AREAS

The subject property is located within three Environmental Development Permit areas, those being the Fire Hazard Area (High), the Habitat and Biodiversity Area, and the Riparian Area. The report submitted from a registered biologist has indicated there is no aquatic or terrestrial habitat rationale to constrain the house construction.

FINANCIAL IMPLICATIONS:

A summary of Amenity Contributions and Development Cost Charges that the developer will be expected to pay if a subdivision were to occur, is outlined in Tables 4 and 5 below.

COUNCIL'S AMENITY CONTRIBUTION POLICY

The amenity contributions that apply as per Council's current Affordable Housing and Amenity Contribution Policy are summarized in Table 4 below, based on creating one additional lot.

Table 4 – Amenity Contributions per Council Policy

Amenity Item	Per Lot Contribution	Total
<i>General Amenity Reserve Fund</i>	\$6000	\$6000
<i>Affordable Housing Reserve Fund</i>	\$1000	\$1000
TOTAL POLICY CONTRIBUTIONS		\$7000

Table 5 - Development Cost Charges

Development Cost Charge	Per Unit Contribution	Total
<i>Roads</i>	\$5,876.00	\$5,876.00
<i>Storm Drainage</i>	\$1,655.00	\$1,655.00
<i>Park Improvement</i>	\$3,146.00	\$3,146.00
<i>Park Acquisition</i>	\$211.00	\$211.00
<i>ISIF</i>	\$495.00	\$495.00
<i>ISA</i>	\$52.00	\$52.00
Subtotal (DCC's to Langford)		\$11,435.00
<i>CRD Water</i>	\$2,922.00	\$2,922.00
<i>School Site Acquisition</i>	\$1,000.00	\$1,000.00
TOTAL DCC's (estimated)		\$15,357.00

LEGAL IMPLICATIONS:

Should Council choose to proceed with consideration of a rezoning bylaw, the application will be prohibited from being the subject of a Public Hearing, as per the changes made by the Province to the Local Government Act through The Housing Statutes (Residential Development) Amendment Act, 2023.

The amenity contributions specified in Table 4 above would be incorporated into the corresponding rezoning bylaw and would be payable at the time of subdivision approval along with the current Development Cost Charges specified in the various DCC Bylaws.

Council's other conditions of approval would be registered in a Section 219 Covenant in priority of all other charges on title prior to consideration of Bylaw Adoption.

OPTIONS:

Option 1

THAT the Sustainable Development Advisory Committee recommend that Council:

Not consider the proposed rezoning of 939 Klahanie Drive from Rural Residential 2 (RR2) to Rural Residential 5 (RR5) to allow for a Subdivision or the proposed variance to the requirements of a carriage house.

OR Option 2

THAT the Sustainable Development Advisory Committee recommend that Council:

1. Direct staff to prepare and bring forward a bylaw to amend the zoning designation of the property located at 939 Klahanie Drive from Rural Residential 2 (RR2) to Rural Residential 5 (RR5) subject to the following terms and conditions:
 - a. That the applicant provides, **as a bonus for increased density**, the following contributions per dwelling lot, **prior to the issuance of subdivision approval**:
 - i. \$1,000 towards the Affordable Housing Reserve Fund; and
 - ii. \$6,000 towards the General Amenity Reserve Fund;
 - b. That the applicant, **prior to Bylaw Adoption**, registers a Section 219 covenant 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 to subdivision or the issuance of a building permit, whichever comes first:

1. Full frontage improvements; and
 2. A storm water management plan.
- ii. That the following will be provided and implemented to Bylaw No. 1000 standards to the satisfaction of the Director of Engineering prior to land alterations:
1. A construction parking and deliveries management plan, and a mitigation plan.
 - iii. That tree protection measures, inclusive of tree protection fencing, are implemented prior to commencement of work to protect the trees identified for retention in the arborist report throughout the construction period;
 - iv. That all concrete used on-site will utilize ready-mix concrete that meets or exceeds the weighted average Global Warming Potential targets based on Concrete BC Baseline (average) mix data, and that prior to the issuance of a Building Permit the applicant shall provide a Type III Environmental Product Declaration that is 3rd party verified specifying the total Global Warming Potential value and confirming that the proposed development meets the requirements of Low Carbon Concrete Policy POL-0167-PLAN;

AND

2. Direct staff to prepare and bring forward a Development Variance Permit that varies the following regulations of the Zoning Bylaw No. 300 and the Subdivision and Development Servicing Bylaw No. 1000 pursuant to Section 498 of the Local Government Act:
 - a) That Section 6.14.02(2) of Zoning Bylaw No. 300 be varied by reducing the allowable lot size for subdivision of a property that is not serviced with municipal sewer from 40 hectares (98.8 acres) to 0.44 hectares (1.1 acres) for the property located at 939 Klahanie Drive; and
 - b) That Section 6.1.2 of Subdivision and Development Servicing Bylaw No. 1000 be varied by allowing subdivision as a permitted form of development for the property located at 939 Klahanie Drive.

Or Option 3

THAT the Sustainable Development Advisory Committee recommend that Council:

1. Direct staff to prepare and bring forward to Council a Development Variance Permit that varies the following regulation of the Zoning Bylaw No. 300 pursuant to Section 498 of the Local Government Act:
 - a) That Section 3.08.05(3) of Zoning Bylaw No. 300 be varied by increasing the allowable gross floor area for a carriage suite from 90m² (969 ft²) to 325m² (3,500 ft²).

Or Option 4

THAT the Sustainable Development Advisory Committee recommend that Council take no action with respect to this application to rezone 939 Klahanie Drive until such time as the following items are addressed and reviewed by the Sustainable Development Advisory Committee:

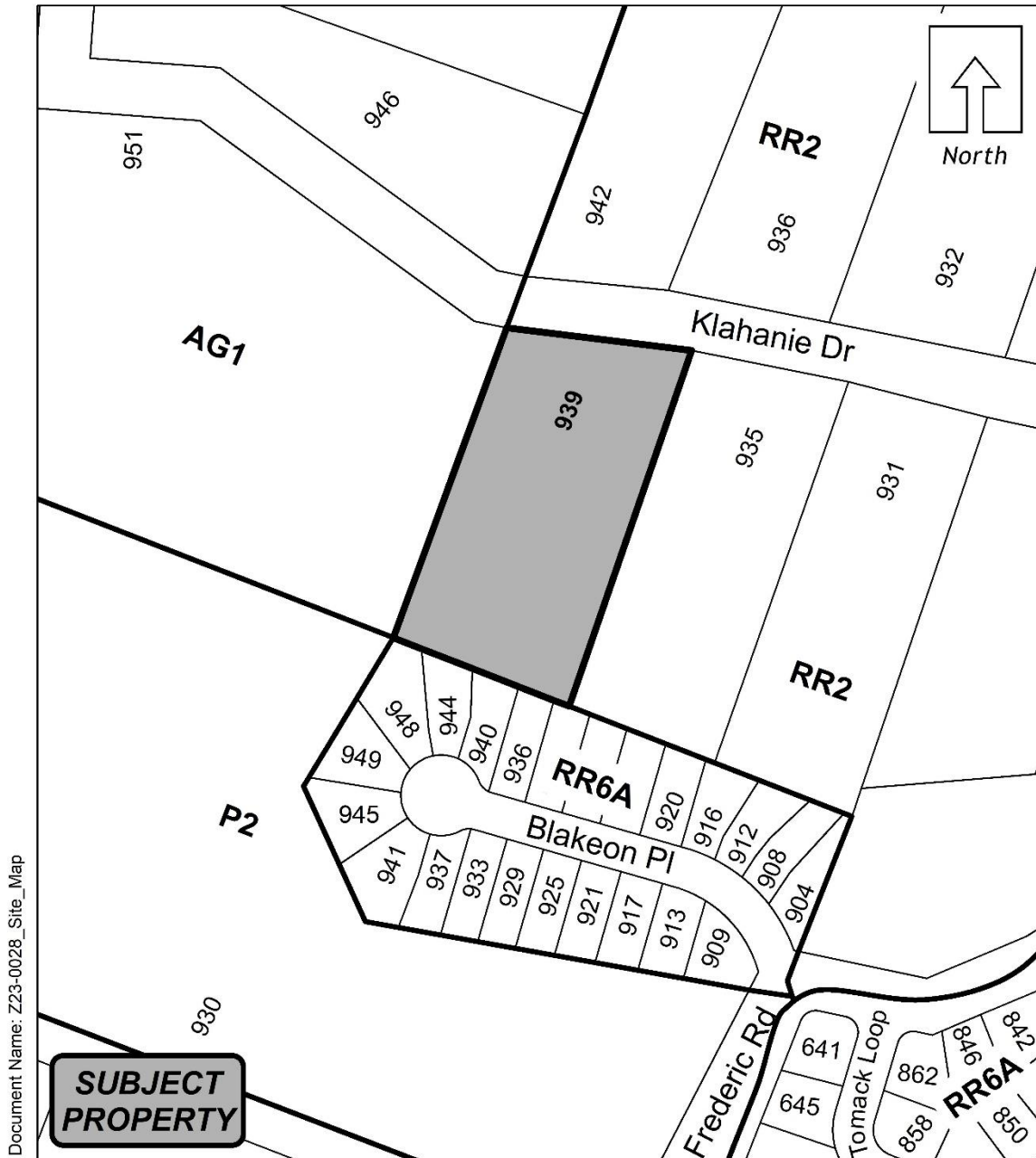
- a. _____;
- b. _____;
- c. _____;

SUBMITTED BY: Robert Dykstra, MCIP, RPP, Senior Planner

- Concurrence:** Melisa Miles, Manager of Legislative Services
- Concurrence:** Donna Petrie, Senior Manager of Communications & Economic Development
- Concurrence:** Yari Nielsen, Director of Parks, Recreation and Facilities
- Concurrence:** Matthew Baldwin, MCIP, RPP, Director of Planning and Subdivision
- Concurrence:** Katelyn Balzer, P.Eng., Director of Engineering and Public Works
- Concurrence:** Marie Watmough, Deputy Director of Corporate Services
- Concurrence:** Braden Hutchins, Director of Corporate Services
- Concurrence:** Darren Kiedyk, Chief Administrative Officer

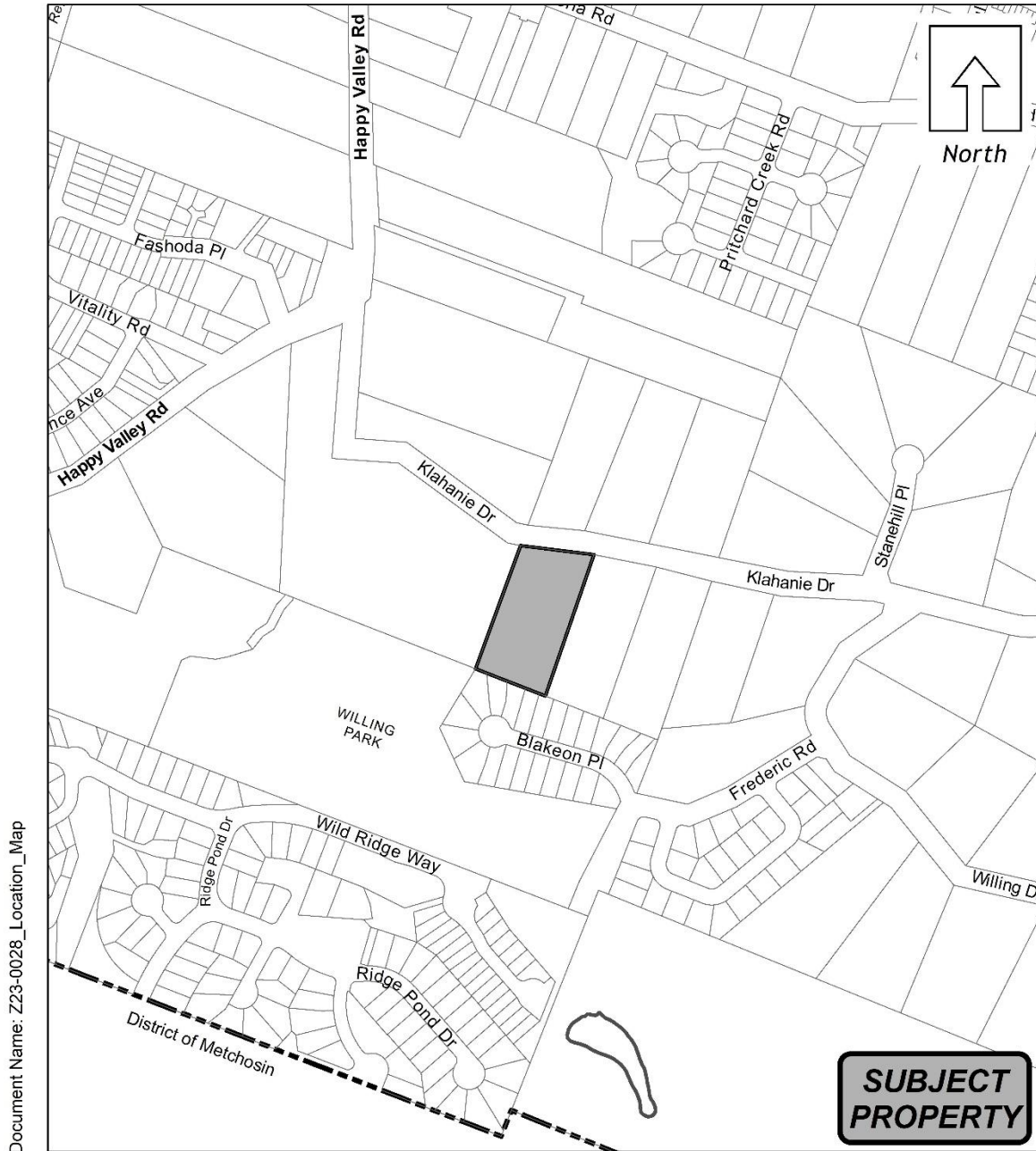
Appendix A – Site Map

REZONING BYLAW AMENDMENT
(Z23-0028)
939 Klahanie Dr



Appendix B – Location Map

**REZONING BYLAW AMENDMENT
(Z23-0028)
939 Klahanie Dr**



Document Name: Z23-0028_Location_Map

Scale: N.T.S.

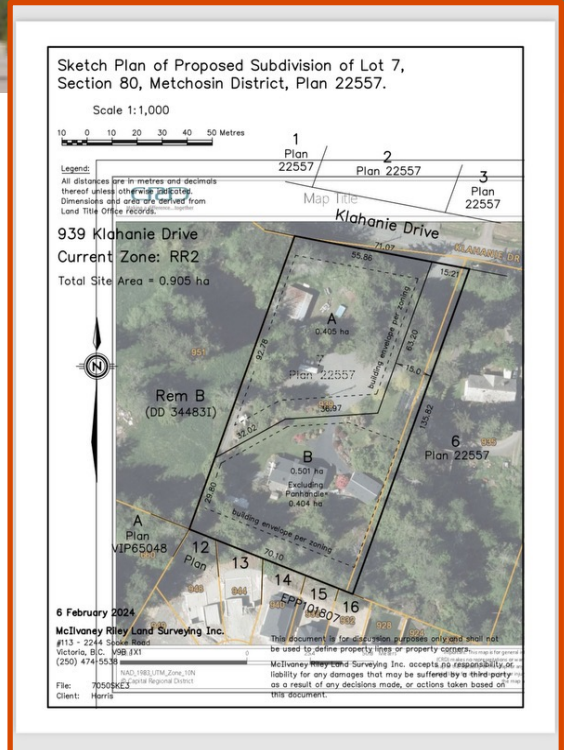
Last Revised: 2024-04-10

CITY OF
Langford

RESIDENTS LEISURE BUSINESS BUILDING



Where it all Happens



939 Klahanie Drive Rezoning Amendment Z23-0028

Presentation to the
Sustainable Development
Advisory Committee

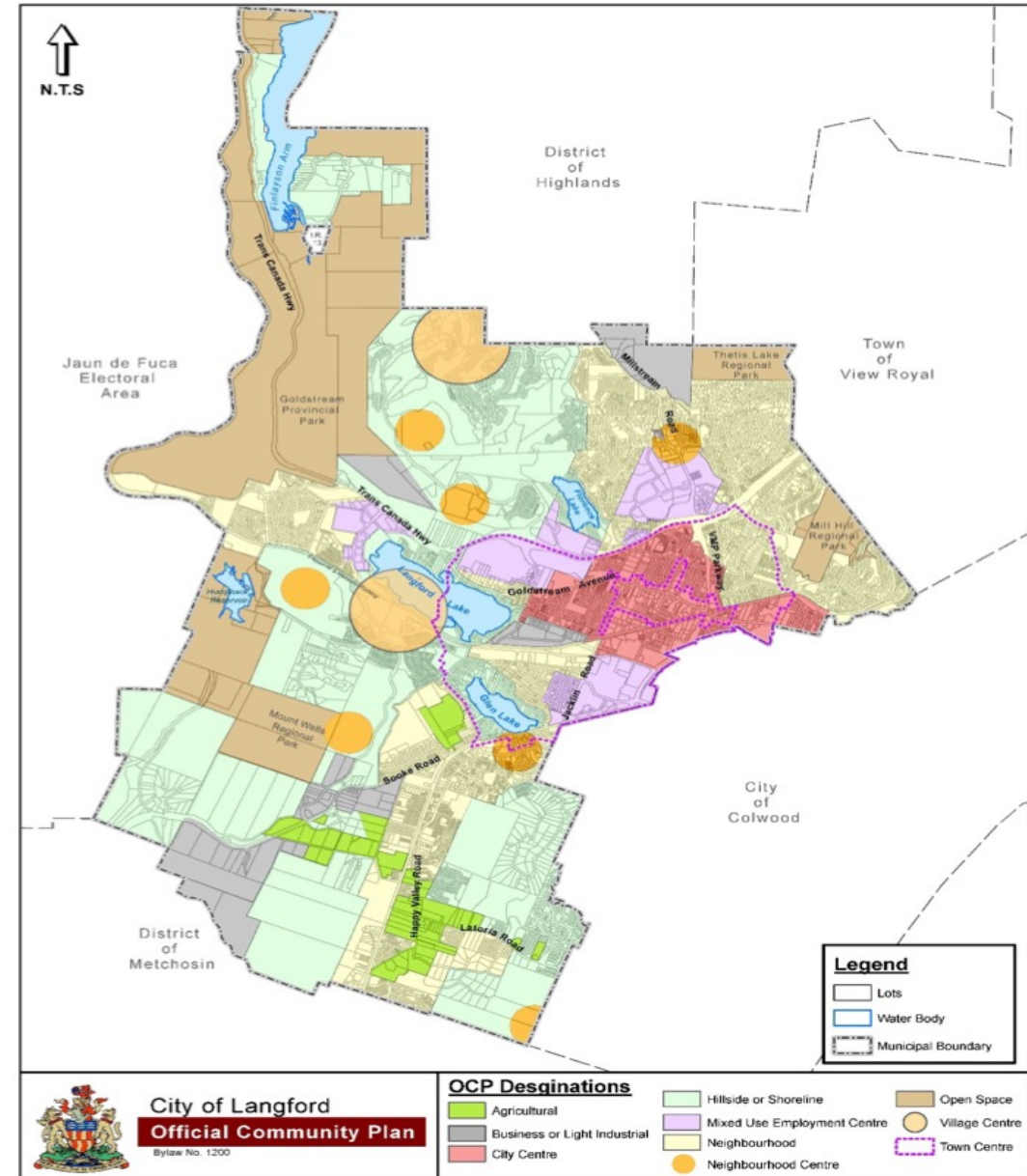
9 September 2024

Jesse Harris & Cindy Harris,
Owners

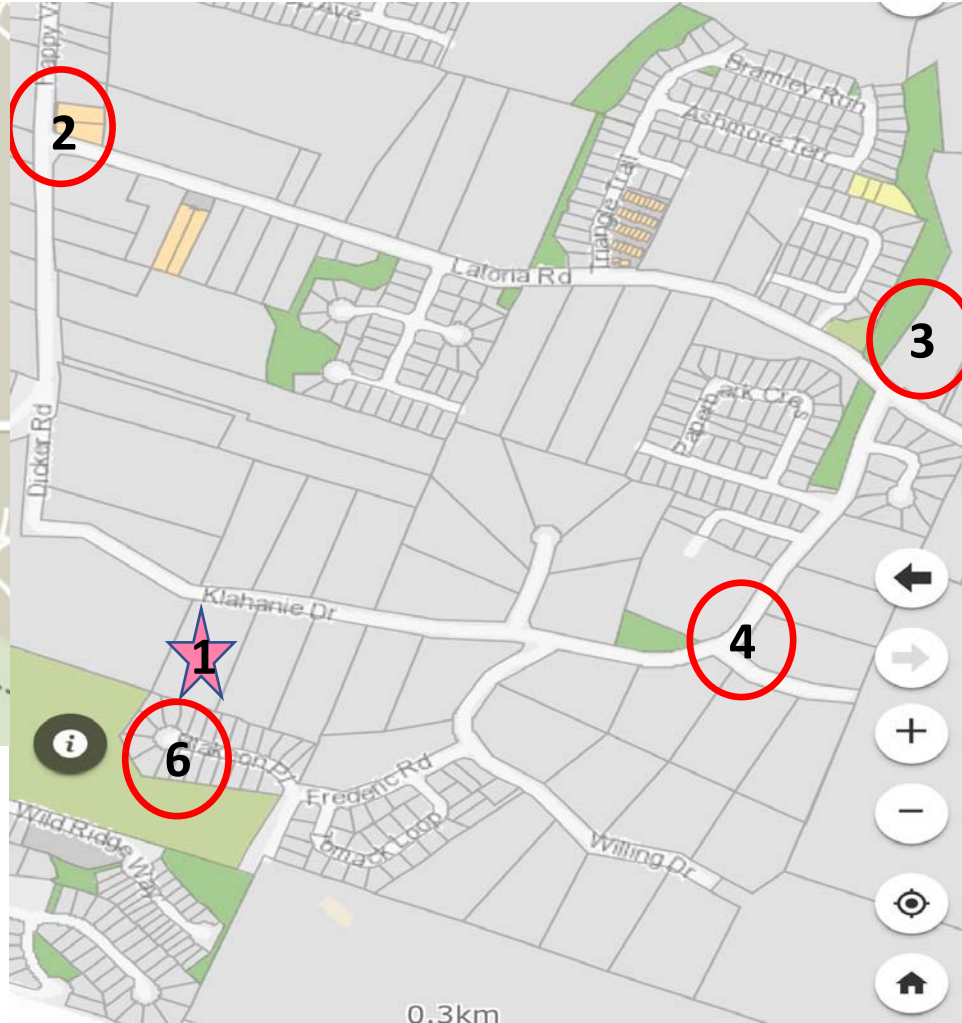
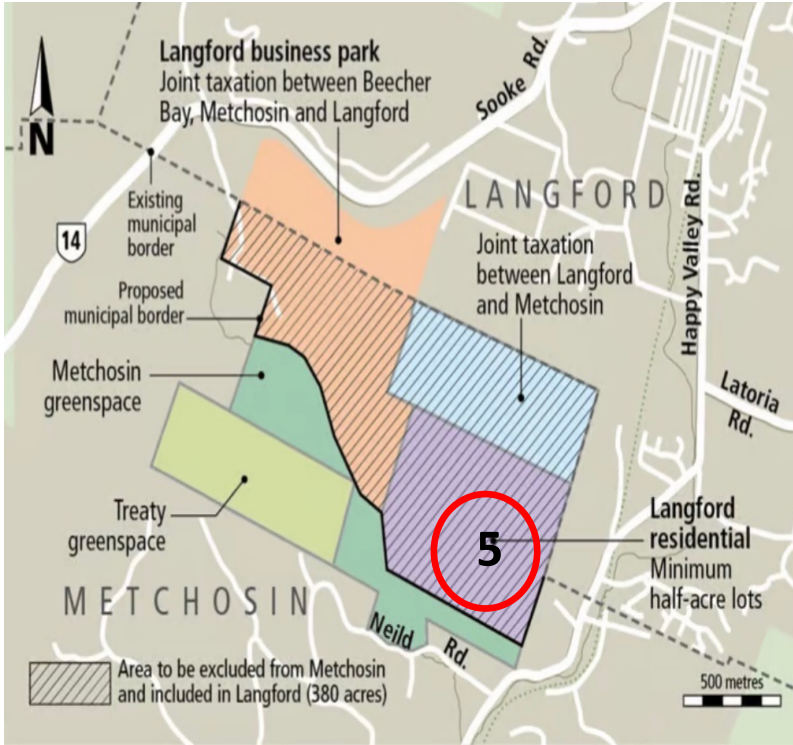
We Comply with the OCP

- We are in a designated neighborhood
- Growth is based on needs of the neighborhood

Map 2: City of Langford - Growth Management & Land Use Strategy



Proximity to Other Developments in OCP



- 1- 939 Klahanie Drive
- 2- Commercial development, 750m from our home
- 3- New elementary school, 900m from our home
- 4- Formwell development, 58 townhouses, 500m from our home
- 5- New business park and residential development, min 0.5 acre lots, 1 km from our home
- 6 - Willing Park / Blakeon Development, 0m from our home

939 Klahanie Dr. – Why it's Worth the Ask for Your Support!


Sustainable
LIVING is
Happening
HERE!



What We Have Done

- Fixed/revived mature trees
- Planted new trees, shrubs, pollinators
- Registered apiary – “Harris Hands Farm”
- Revived and Sustained habitats for wildlife
- Food sustainability and biodiversity





Apiculture
Ministry of
Agriculture
and Food

Mailing Address:
1767 Angus Campbell Road
Abbotsford BC V3G 2M3

Telephone: 1-877-877-2474
Facsimile: (604) 556-3015

CERTIFICATE OF APIARY REGISTRATION

Beekeeper's ID Number: 61665

Client: **Jesse and Cindy Harris**
Company:

Phone Number: **(250) 885-7477**

Address: **939 Klahanie Dr
LANGFORD, BC
V9B 3X2**

Email Address:
jesse.s.harris@gmail.com

APIARY REGISTRATION #	APIARY LOCATION	CITY/TOWN
61665-100 2024/05/17	939 Klahanie Dr	LANGFORD

Total number of colonies currently registered: 3

In case the information listed above does not reflect your current beekeeping status, please notify the Apiculture Office and update your registration.

I HEREBY CERTIFY THE ABOVE-RECORDED LOCATION(S) TO BE FULLY REGISTERED UNDER THE BEE ACT, CHAPTER 27, R.S. 1979

DATED AT : **ABBOTSFORD**
2024-05-17

Paul van Westendorp,
Provincial Apiculturist

Promoting and Sustaining Biodiversity - Tree Revival, Retention and Replacement Plan – In PROCESS!



Staff Recommendation: Neighbourhood Consultation for Rezoning from RR2 to RR5, with a Density of One (1).

Neighbourhood Petition

We are bringing forward an application to the City Council to request a Variance to the neighborhood building plan for 939 Klahanie Drive. We would like to build a second family home on our existing property to support our family. This addition will contribute to minimal density increase. We are going to look at rezoning to RR5 from RR2. RR5 is rural lots of 1 acre.

In order to preserve the character of our rural neighborhood while accommodating our family's needs, we kindly request your support for our proposal.

Sincerely,
The Harris Family
250-885-7477

Name	Address	Signature
Anda Karsu Pringle	8609 Dickes Rd	
LAURENT & HOLY ST. CYR	951 KLAHANIE DR	
Rhonda Hawthorn	942 Klahanie DR	
Vasile & Amanda Dumitru	936 Klahanie Dr	
GRAHAM TERLSON	931 KLAHANIE	
HUGH DALZELL	932 KLAHANIE DR	
DON ROSBERG AND BLENDA	925 KLAHANIE DR.	

Neighbourhood Petition

We are bringing forward an application to the City Council to request a Variance to the neighborhood building plan for 939 Klahanie Drive. We would like to build a second family home on our existing property to support our family. This addition will contribute to minimal density increase. We are going to look at rezoning to RR5 from RR2. RR5 is rural lots of 1 acre.

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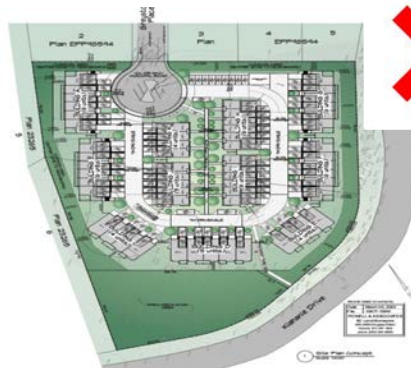
Sincerely,
The Harris Family
250-885-7477

Name	Address	Signature
Steven Haring	812 Starhill Pl.	
David Burg & Tom	818 Starhill	

Feedback from our Neighbours: Rezoning from RR2 to RR5, with a Density of One (1)

• Astoundingly, our neighbours all want the same things:

- ✗ NO major density, - aka no multiplexes, NO TOWNHOUSES.
- ✗ NO clear cutting of our beautiful urban forest neighbourhood like what is happening on Klahanie at Gwendolynn Drive, on both sides of the road, 500m from our property.
- ✗ No pressure on Agricultural Land Reserve.

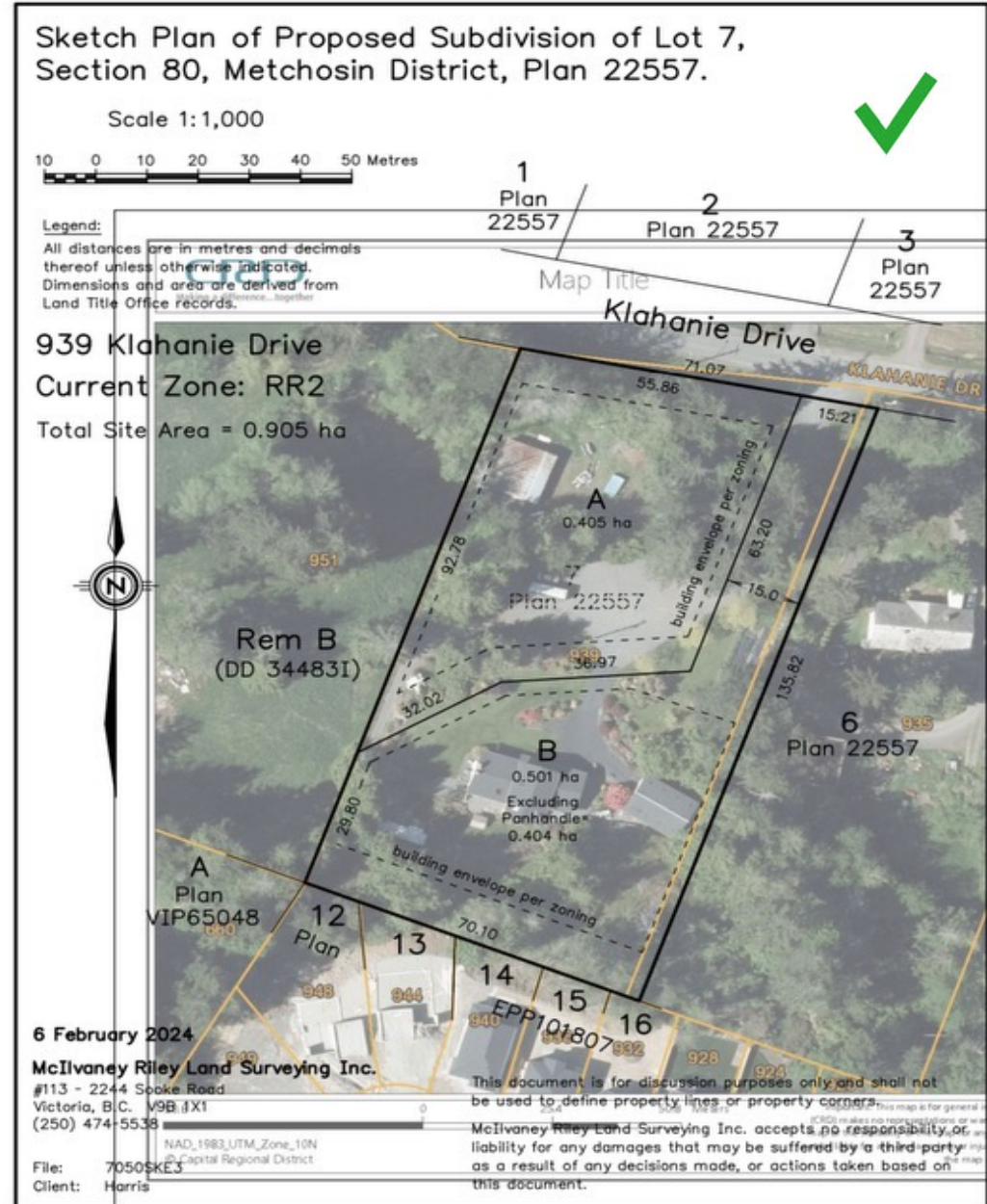


Feedback from our Neighbours: Rezoning from RR2 to RR5, with a Density of One (1)

- Astoundingly, our neighbours support our development of ONE more home:
 - ✓ They loved the idea. They understand that some development is necessary and even unavoidable, it is happening all around us, particularly with a **new school 900m from our property.**
 - ✓ From their collective perspectives, this development proposal of ONE additional house makes sense for our neighbourhood, it helps set a new precedent.
 - ✓ Non-disruptive to our urban forest, and neighbourhood feel. Maintains and expands natural habitats.
 - ✓ Unnoticeable change, no additional pressure on infrastructure, our new home would not even be visible from Klahanie Drive.
 - ✓ Like our Agricultural Land Reserve neighbours, we too want to PRESERVE!

The Ask: RR2 to RR5 with Septic

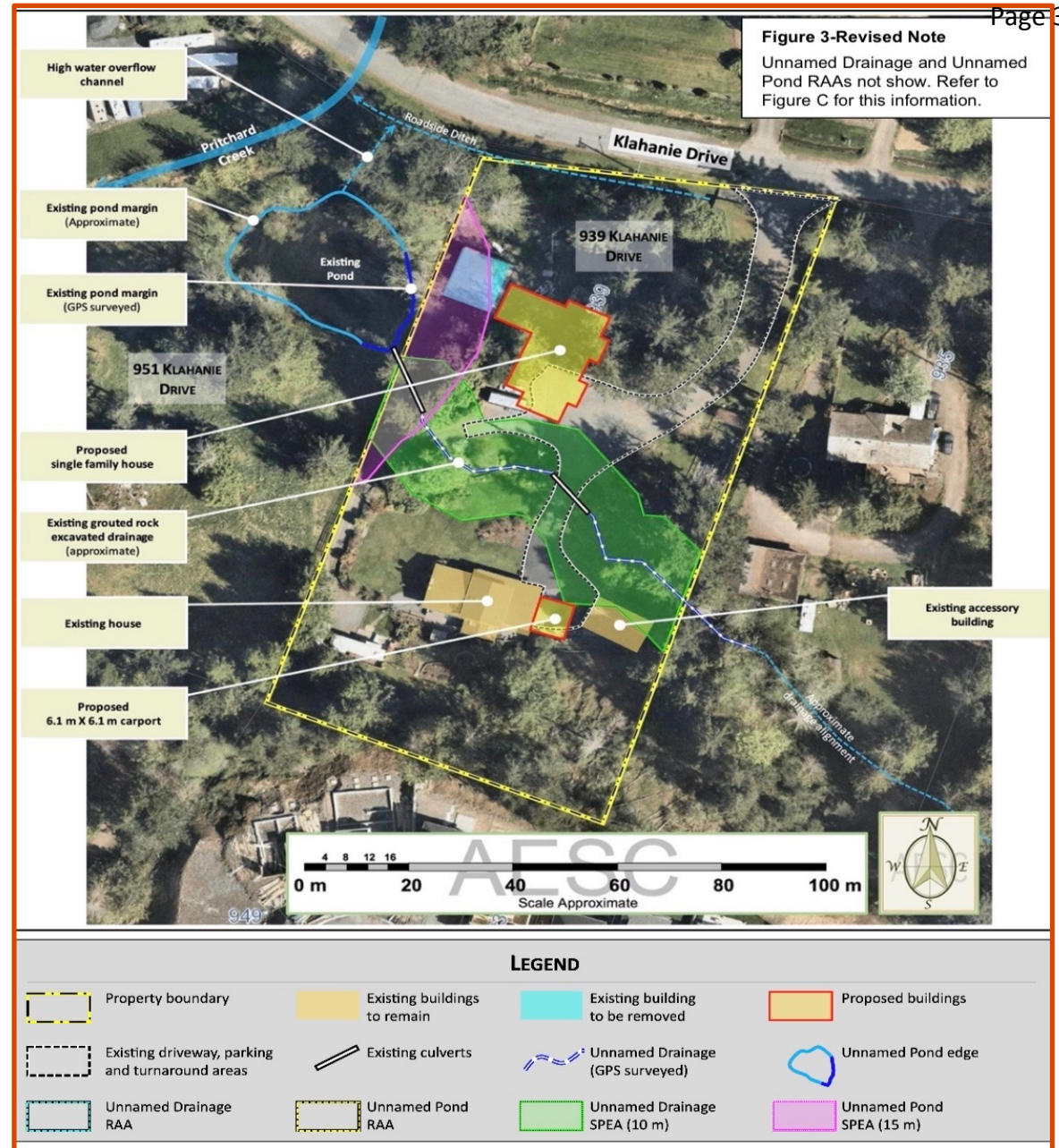
- ✓ No Clear Cutting
- ✓ No townhouses
- ✓ Maintains biodiversity
- ✓ Supports Agricultural Land Reserve Viability and Preservation
- ✓ Supports growth that makes sense



Here's the View of 939 Klahanie Drive



Here's the New Home, Density +1



Sewer is All Around Us!

- Where it is now:
 - “East” Klahanie Drive
 - Willing Park / Wild Ridge Way
 - Happy Valley
 - Latoria
 - Blakeon

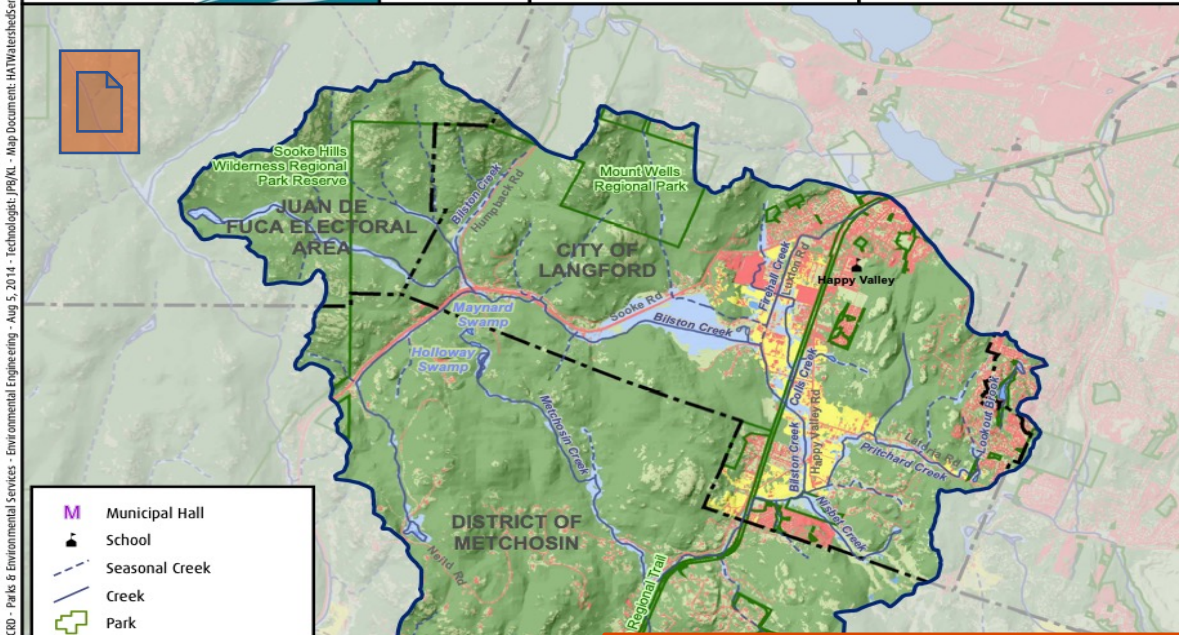
- Why aren't we already connected?









Article 8, Extension of Sewer System – Priority Work Complete

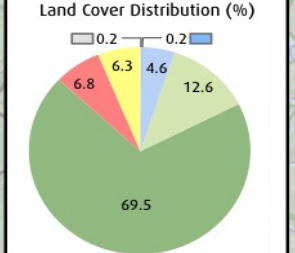
- 8.1 – 8.4 Sewer Capital Plan – WES and City of Langford have an Agreement, a “public private partnership” to bring Sewer to residents. WES has an obligation to maintain a 5 year master plan and work with the City to confirm where they would like to bring Sewer, including definition, plan and completion of “Priority Work” and “Other Sewers”.
- 8.4 – Designation of Works – WES has confirmed that all Priority Work (priority sewers) have now been completed and that **WES is now working on “Other Sewers”** per contract / public private partnership agreement.
 - WES has confirmed that extension of Sewer to complete Klahanie Drive is **not** a part of the 5-10 year capital plan.
- Part 2 – Other Sewers – “Sewers for roads fronting lakes, creeks or similar bodies of water are to take priority over all other sewers.”
 - Since Priority Work is complete, and Klahanie Dr completion is not in the 5 -10 year plan, it can be inferred that the City and WES have agreed that Bilston Creek and Pritchard Creek will be unimpacted by growth, despite new residential, commercial development, and a new school.
 - It can also be inferred that **Septic has no impact** on these creeks, as residents on Klahanie Drive already have Septic systems, and will continue to have Septic for at least 10+ years.



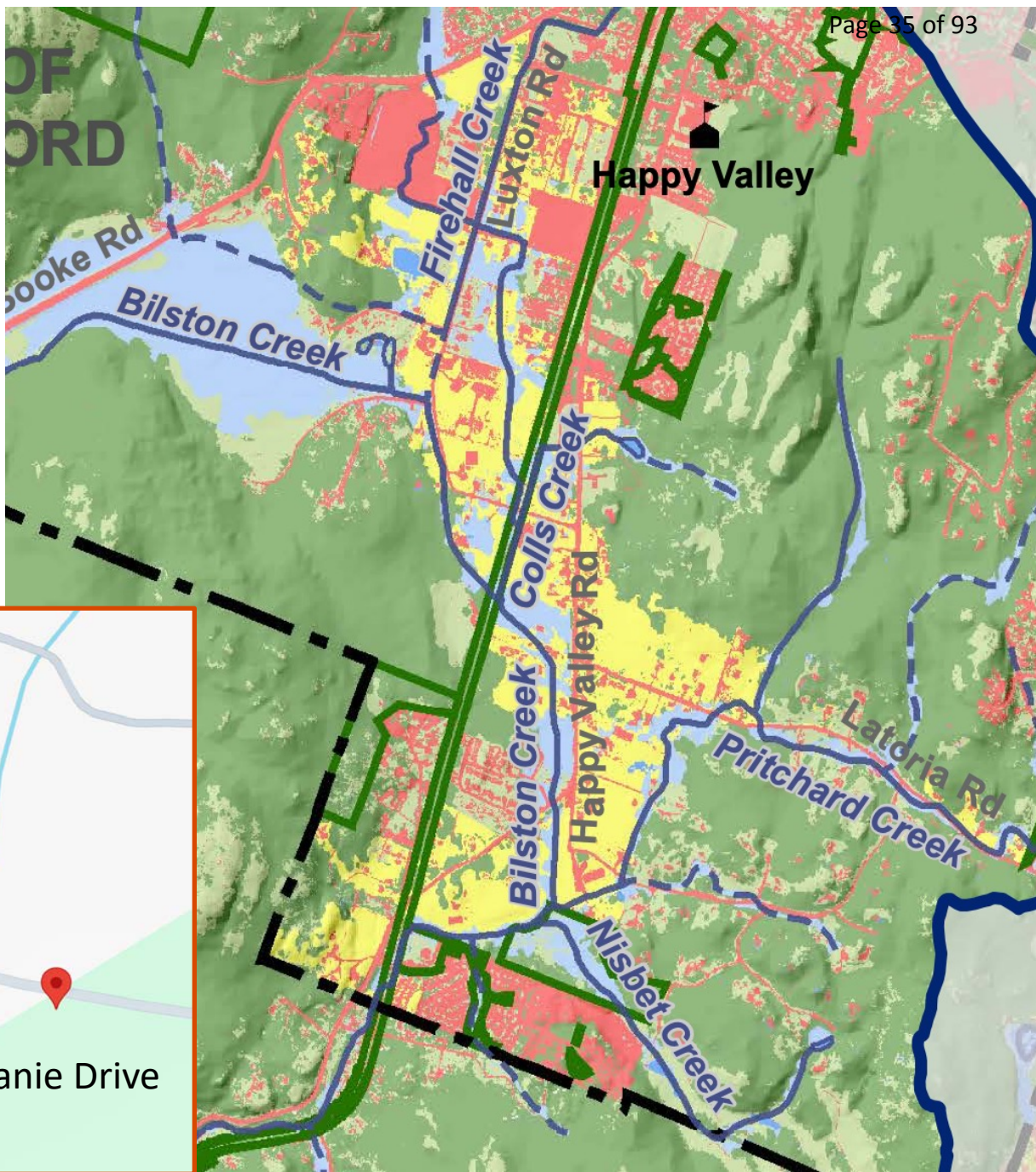


-  Municipal Hall
 -  School
 -  Seasonal Creek
 -  Creek
 -  Park
 -  Watershed*
- Total Watershed Area: 3129 ha
- * Boundaries are approximate and affected by stormdrain networks

- Land Cover (2011)**
-  Unclassified
 -  Lake, Pond
 -  Riparian Area, Seasonal Wetland
 -  Grass, Shrub, Bare Ground, Exposed Rock
 -  Tree Cover
 -  Building, Road, Parking Lot (Impervious Surface)
 -  Agricultural Field



Habitat Acquisition Trust (HAT)
 2011 Land Cover Mapping
 The data set covers the CRD (excluding the Gulf Islands)
 Data is available for 1986, 2005 and 2011
 Percentages may not add up to 100 due to rounding



CRD - Parks & Environmental Services - Environmental Engineering - Aug 5, 2014 - Technology: PRG/KL - Map Document: HAT\WaterInfo\BilstonCreek.mxd

SEWER is 10+yrs out, not yet in Sewer Capital Plan – Confirmed.

From: **Catherine Laurie** <Catherine.Laurie@corix.com>
Date: Thu, Oct 19, 2023 at 9:14AM
Subject: RE: Klahanie Drive - Neighbourhood Sewer Estimated Timeline
To: Jesse Harris <jesse.s.harris@gmail.com>

Hello Jesse,

Unfortunately, the west side of Klahanie to Dickers is not in our 5-10 year capital plan at the moment but please check back.

Thank you.

Regards,

Catherine Laurie, A ScT

Manager, Technical Services

Corix/ West Shore Environmental Services
LP

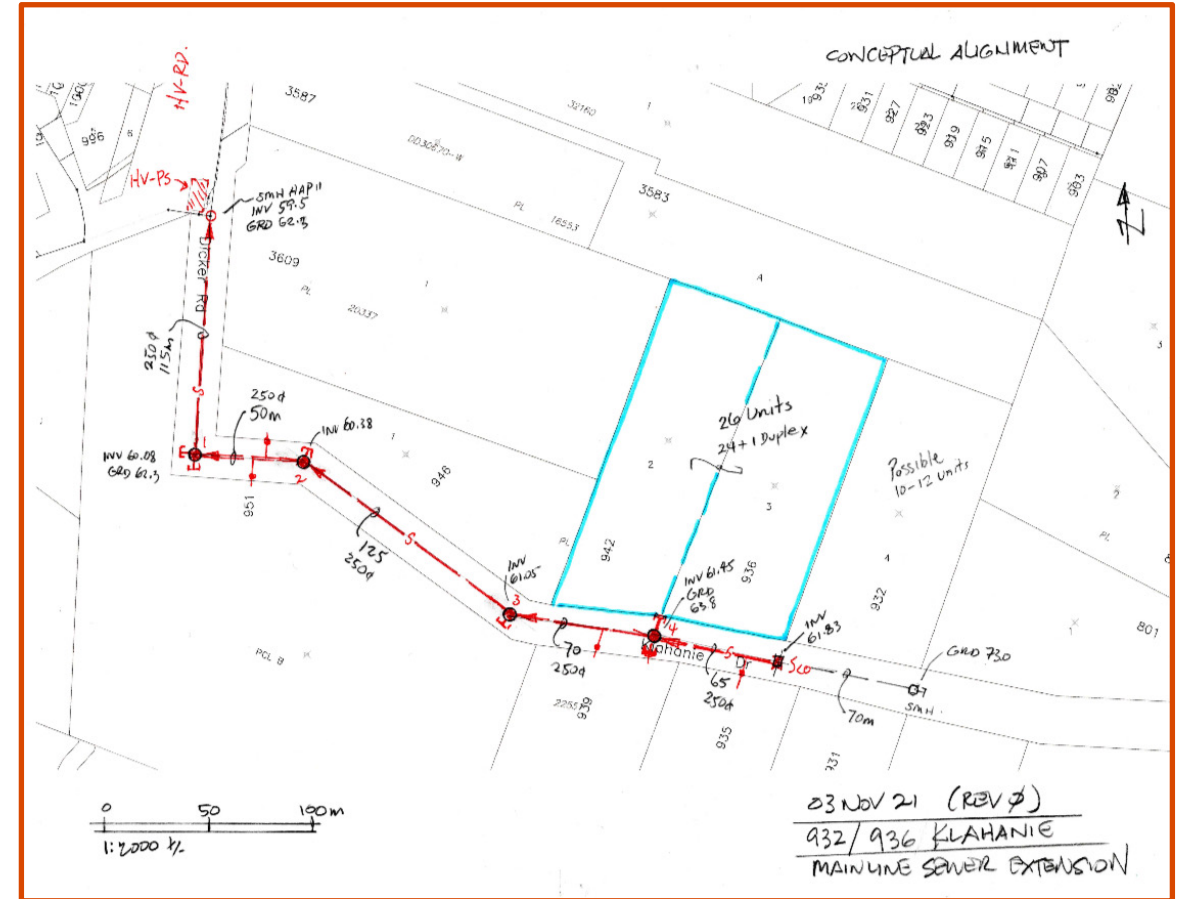
C 236.969.0457 | P 250.478.2187

CORIX | West Shore
Environmental Services

- After reviewing the Sewer Utility Agreement, receiving WES confirmation of no sewer for 10+ yrs, and review of Bylaws, as owners we asked the City of Langford Staff how best to move forward to develop one additional home on our ~2.25 acre property with Septic and connect to Sewer when it becomes available.

Proposals, Sewer and Costs

- Numerous requests from developers.
- Previous proposals outlined the cost of sewer as ~\$2.5M (Dickers to 936 Klahanie, 2021).
- The cost of sewer demands high density development.
- Rejected due to the pressure on the Agricultural Land Reserve.



Agreement from Owners to Bylaw 1000 – Schedule 6

- Sewage Collection and Disposal

- ✓ We are willing to pay our Sewer connection fees NOW instead of later when sewer connection is available.
- ✓ Willing to abide by other variations/amendments.

Reference:

6.1.2 a) The owner grants to the City a covenant under s.219 of the *Land Title Act* that requires the owner to connect the building to the municipal sanitary sewer system within 6 months of a sewer main being installed in a highway or City statutory right of way abutting the parcel on which the building is located.

Previous Bylaw Amendments

- Examples of other areas where Septic was supported for new single family home development:
 - Jenkins Avenue
- 2010-2019: Corridor of 6 brand new homes, on subdivided lots, all on SEPTIC
 - 1080, 1082 – 2019
 - 1076, 1078 – 2013
 - 1084, 1086 – 2011
 - 1062, 1066, 1068 – 2010
 - All granted permission to use septic while waiting for the Capital Plan to complete the sewer connection between mid-Jenkins Avenue and Glen Lake Road

Jenkins Ave...14+ years of SEPTIC



The Ask: Amendment to the Bylaw

- **Amendment to the Sewer Bylaw to allow septic for the additional single-family home at 939 Klahanie Drive.**





City of Langford

Staff Report to Sustainable Development Advisory Committee

DATE: Monday, September 9, 2024

DEPARTMENT: Planning

APPLICATION NO.: Z23-0017

SUBJECT: Bylaw No. 2203 – Application to Rezone 646 Atkins Avenue from One- and Two-Family Residential (R2) to Residential Small Lot 1 (RS1) to allow for the creation of 7 lots.

EXECUTIVE SUMMARY:

Erich Schmitt has applied to rezone 646 Atkins Avenue from One- and Two-Family Residential (R2) to Residential Small Lot 1 (RS1) to allow for the creation of 7 lots. The applicant intends to split-zone the property by keeping the primary dwelling fronting Atkins as a remainder R2 lot and only rezoning the rear portion of the lot as RS1 to allow for the subdivision of 6 additional lots. The proposal includes a 3.05 m road dedication along Atkins Avenue to align with the properties to the west. The applicant is also requesting a setback variance for the existing dwelling to the newly proposed property lines.

BACKGROUND:

PREVIOUS APPLICATIONS

The subject property has had no previous applications.

Table 1: Site Data

<i>Applicant</i>	Erich Schmitt	
<i>Owner</i>	Erich and Harold Schmitt	
<i>Civic Address</i>	646 Atkins Avenue	
<i>Legal Description</i>	LOT 6, SECTION 72, ESQUIMALT DISTRICT, PLAN 9468	
<i>Size of Property</i>	2,450 m ²	
<i>DP Areas</i>	None	
<i>Zoning</i>	Existing: R2 (One-and Two-Family Residential)	Proposed: RS1 (Residential Small Lot 1)
<i>OCP Designation</i>	Existing: Neighbourhood	Proposed: Neighbourhood

SITE AND SURROUNDING AREA

The subject property is primarily flat and contains three dwelling units in separate buildings. The primary dwelling is located at the front of the property along Atkins Avenue and two legally non-conforming detached suites are located at the rear of the site. The site also has many vehicles stored throughout the property, as shown on Figure 1 below. The site contains 12 bylaw protected trees (larger than a 20 cm dbh) which will be discussed later within this report. The site is located directly north of the E&N Trail, just east of Winstler Road. The south side of Atkins Avenue is well utilized by the public for street parking. The property is located on the edge of Langford’s City Centre, meaning it is within close walking distance of many shops and services as well as frequent transit options. The nearest park is Veterans Memorial Park, approximately 300 m away.

Figure 1: Subject Property



School District No 62 has been made aware of this application such that they can consider the proposed increase in density in this area as part of their long-range facility planning.

Table 2: Surrounding Land Uses

	Zoning	Use
<i>North</i>	R2 (One-and Two-Family Residential)	Single Family Homes and Duplexes
<i>East</i>	R2 (One-and Two-Family Residential)	Single Family Homes
<i>South</i>	CC1 (City Centre 1)	Apartment (6 storeys)
<i>West</i>	R2 (One-and Two-Family Residential)	Duplexes

COMMENTARY:**DEVELOPMENT PROPOSAL**

The applicant is proposing to retain the existing single-family home as an R2 residential lot and to rezone the rear portion of the property to RS1 to allow for the subdivision of 6 small lots. As the minimum lot size permitted in the RS1 zone is 200 m², the proposed new lots range in size from 202 m² to 265 m². The remainder lot with the existing home will remain 413 m², ensuring it meets the minimum lot size of 400 m² to remain within the R2 Zone. The applicant intends to construct a bare land strata road along the western property boundary, with the 6 new lots abutting the eastern property boundary. The proposed subdivision plan is attached to this report for reference.

646 Atkins Avenue is subject to the new Small Scale Multi-Unit Housing (SSMUH) regulations that the City was required to implement by the Provincial Government. The SSMUH regulations are intended to improve housing choices within traditional single-family neighbourhoods by allowing for greater housing diversity, affordability, and inclusivity within neighbourhoods. The SSMUH regulations apply to the R2 and RS1 zones, amongst many others within the City, and allow a minimum of 3 – 6 dwelling units on properties depending on the lot size and location. For 646 Atkins Avenue, the Provincial regulations allow for up to 3 dwelling units on lots that are under 280 m² and up to 6 dwelling units on lots that are over 281 m² as the property falls within 400 m of a prescribed transit stop. Given this, the applicant has proposed six new lots to fall under 280 m², meaning they could have up to 3 dwelling units per lot. If future owners want to realize the maximum of 3 dwelling units, they could only do so through the following housing types:

1. Three townhouse units; or
2. A two-family dwelling (duplex) with a suite on one side only

Alternatively, a future owner could choose to pursue only two units by constructing a single-family home with one suite. Council may wish to note that as the proposed lots are within a bare land strata, no townhomes or duplexes will be able to be stratified as they will already be in a strata, and you cannot further stratify within a strata. As such, all six new lots would remain as six singular real estate entities and the additional units on each lot would become rental income for the owners.

Given the above, if Council were to proceed with this rezoning to allow the creation of six new lots, there could be a potential of up to 18 dwelling units created if all lot owners were to pursue the maximum of 3 units per lot.

If Council were to reject this rezoning application, the applicant would still have subdivision potential under the existing R2 zoning regulations. While they would have to maintain a minimum lot size of 400 m², it's very likely that they could create an additional 3 or 4 lots. As these lots would be able to have up to 6 dwelling units each under the new SSMUH regulations, due to the lots being larger than 281 m² and within 400 m of a prescribed transit stop, there could be a potential of up to 18 – 24 dwelling units created on this site without the need for rezoning. Given this, Council may wish to proceed with this rezoning with the condition that they apply for subdivision using the plan attached to this report which ensures all the new lots remain under 280 m² and therefore will have a maximum density per lot of 3 dwelling units.

Even though the ultimate unit count could potentially be higher without a rezoning to the RS1 Zone, the applicant has conducted their own financial analysis and is keen to proceed with rezoning to smaller lots.

Parking

The Province has mandated that the City cannot apply on-site parking requirements to properties located within 400 m of a prescribed transit stop for lots over 281 m² that can support 6 units. While the Province allows the City to still apply parking requirements to lots 280 m² or less, like the subject proposal, the new City bylaws do not clarify this. As such, the current City bylaws state that there are no on-site parking requirements for any lot within 400 m of a prescribed transit stop, regardless of size. Council may wish to use this opportunity to amend the parking requirements so that no parking is only allowable on lots 281 m² or greater (as required by the Province), and lots less than this default to the 1 space per unit as otherwise required in restricted zones.

Should Council proceed with making this change, the applicant will be required to provide one on-site parking stall per dwelling unit, to be confirmed at the time of development permit.

Council may wish to note that the City is still allowed to require on-street parking as per Bylaw No. 1000. As such, the applicant is proposing 3 street parking spaces on their proposed bare-land strata road to be used by visitors. This meets the Bylaw No. 1000 requirements to create 0.5 street parking spaces per new lot created.

Table 3: Proposal Data

	Permitted by R2 (Current Zoning)	Permitted by RS1 (Proposed Zoning)
<i>Permitted Use</i>	Single Family, Duplex, Townhomes	Single Family, Duplex, Townhomes
<i>Min. Lot Size</i>	400 m ²	200 m ²
<i>Height</i>	11 m	11 m
<i>Site Coverage</i>	50%	50%, 60% if townhomes
<i>Front Yard Setback</i>	3m	3 m
<i>Interior Side Yard Setback</i>	1.5 m	1.5 m
<i>Exterior Side Yard Setback</i>	3 m	3 m
<i>Rear Yard Setback</i>	3 m	3 m
<i>Vehicle Parking Requirement</i>	None for lots over 281 m ² 1 per dwelling unit on lots 280 m ² and under*	None for lots over 281 m ² 1 per dwelling unit on lots 280 m ² and under*
<i>Bicycle Parking Requirement</i>	1 per dwelling unit	1 per dwelling unit

*If Council proceeds with changing the parking requirements through the bylaw, as discussed earlier.

Setback Variance

The applicant is also seeking a setback variance for the existing dwelling. As the applicant is proposing a bare land strata road running along the western property boundary, new property lines will be created around the existing home. The new bare land strata road makes the western property boundary of the existing home an exterior side lot line as it will now be abutting a road. As noted above, the typical setback required for an exterior side lot line is 3 m. Given that the applicant intends to keep the existing home, they are seeking a setback variance to 1.59 m. Council may wish to authorize the Director of Development Services to issue this setback variance within the development permit, subject to the variance applying to the existing home only. Should the applicant decide to remove the existing dwelling and rebuild a new home, the variance would no longer apply, and they would need to comply with the 3 m requirement.

Trees

The applicant submitted an arborist report as part of their application that has identified that there are 12 bylaw protected trees located on the property. The report also identified 3 additional bylaw protected trees on other private properties that may be impacted by the proposal. Of the 15 trees assessed, it was found that 8 will need to be removed. Three such trees will need to be removed due to their existing poor health and structure, while 5 trees will need to be removed due to impacts from the proposed building envelopes, road location, and the removal of existing structures. The three trees on private property are to remain intact and are not subject to removal. Council may also wish to note that two of the seven trees to be retained fall within the area at the front of the property that will be dedicated to the City, so they will become boulevard trees under the City's purview. The arborist report has been attached to this report for reference.

Council may wish to note that the City does not require a landscape plan for single family or duplex development permits, only for townhomes. As the applicant does not know at this time what specific housing types will be constructed, no landscape plan has been submitted.

Park Dedication

In accordance with the Local Government Act section 510, a subdivision creating 3 or more additional lots is required to provide to the municipality not more than 5% parkland or equal land value. As there would not be a substantial area, nor would the park area achieve the requirements set out in Policy 4.6.2 of the OCP, that dedicated parkland must meet targets for active parkland, environmental protection or a commuter purpose, the Parks Department is requesting that the applicant provide compensation in the form of cash-in-lieu equal to 5% of the land value. This will be collected at the time of subdivision and put towards funding the acquisition of parkland in the future.

MULTI-MODAL NETWORK

FRONTAGE IMPROVEMENTS

The Director of Engineering has noted that full frontage requirements to Bylaw No. 1000 standards will be required. This includes but is not limited to a 2.2 m wide sidewalk, streetlighting, and boulevard. As noted previously, the Director of Engineering has requested a 3.05 m road dedication along the Atkins Avenue frontage to align with the frontages to the west of the site.

PEDESTRIAN, CYCLING AND MOTORIST NETWORK

The sidewalk connectivity along this section of Atkins Avenue is mostly non-existent, with only small patches completed. As noted above, the applicant will be responsible for constructing sidewalk along the frontage, which is approximately 27 m. There is a small patch of sidewalk directly to the east in front of 638 and 644 Atkins that will be connected to this sidewalk.

On the south side of Atkins Avenue is the E&N Trail which offers separated walking and cycling connection towards downtown Langford and the Station Avenue Arts and Culture District, as well as to downtown Victoria. Bike lanes also run along both sides of Atkins Avenue, parallel to the E&N Trail.

The site is within close walking distance to multiple bus routes including the Blink Rapidbus that provides service between Langford and downtown Victoria. The nearest Modo carshare vehicle is approximately 500 m away.

The application has been reviewed by the Ministry of Transportation and Infrastructure and they have noted that they have no concerns. A Traffic Impact Assessment was not required by the Director of Engineering.

INFRASTRUCTURE

DRAINAGE AND STORMWATER

The applicant has submitted a stormwater technical memo prepared by an engineer outlining how they plan to manage stormwater on-site. This memo has been reviewed and approved by the Director of Engineering.

SEWERS

A sewer main exists along Atkins Avenue and a connection from the lots 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.

FIRE ACCESS

As the proposed bare land strata road is less than 90 m in length, no cul de sac or two-point turnaround is required by City bylaws. It is anticipated that any fire truck needing access to the site would drive in and back out to leave. The applicant has elected to provide a small two-point turnaround in the location of their required street parking, which will provide greater functionality for residents, garbage and recycling trucks, etc., but is not designed to accommodate the Langford Ladder Truck.

Construction Impact Mitigation

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

CONSTRUCTION STAGING/ENCROACHMENTS

Any construction staging beyond the property limits requires a construction licence with the City, including but not limited to temporary above or below ground occupancy of any public lands or rights-of-way. Construction licences must be executed prior to any land alteration and are subject to non-negotiable terms, conditions, and one-time and/or daily fees. All permanent encroachments and above ground temporary construction licences on public lands or rights-of-way are subject to Council approval.

NUISANCE EASEMENTS

Council may wish to require that the applicant provide a Section 219 Covenant registered on title prior to Bylaw Adoption that provides future landowners with the understanding that the existing rail corridor directly south of the site may be utilized for transportation uses in the future such as but not limited to rail, bus, or other, that these uses may result in general nuisances, and that future landowners understand and accept the potential disruption to their residential occupancy of the site.

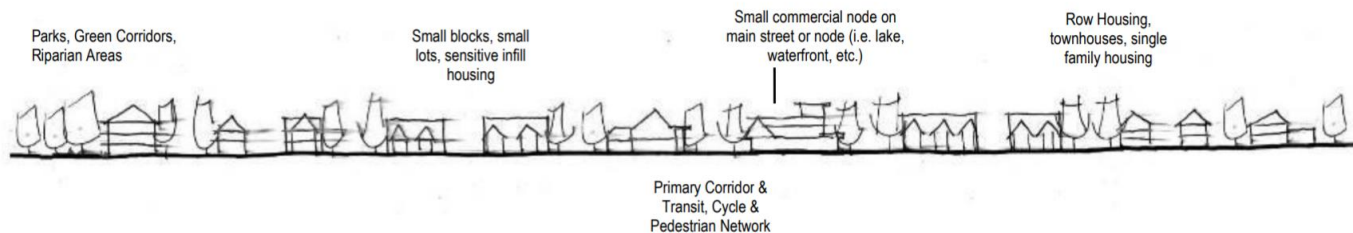
COUNCIL POLICY

OFFICIAL COMMUNITY PLAN

The Official Community Plan (OCP) Bylaw No. 1200 designated the subject properties as “Neighbourhood”, which is defined by the following text:

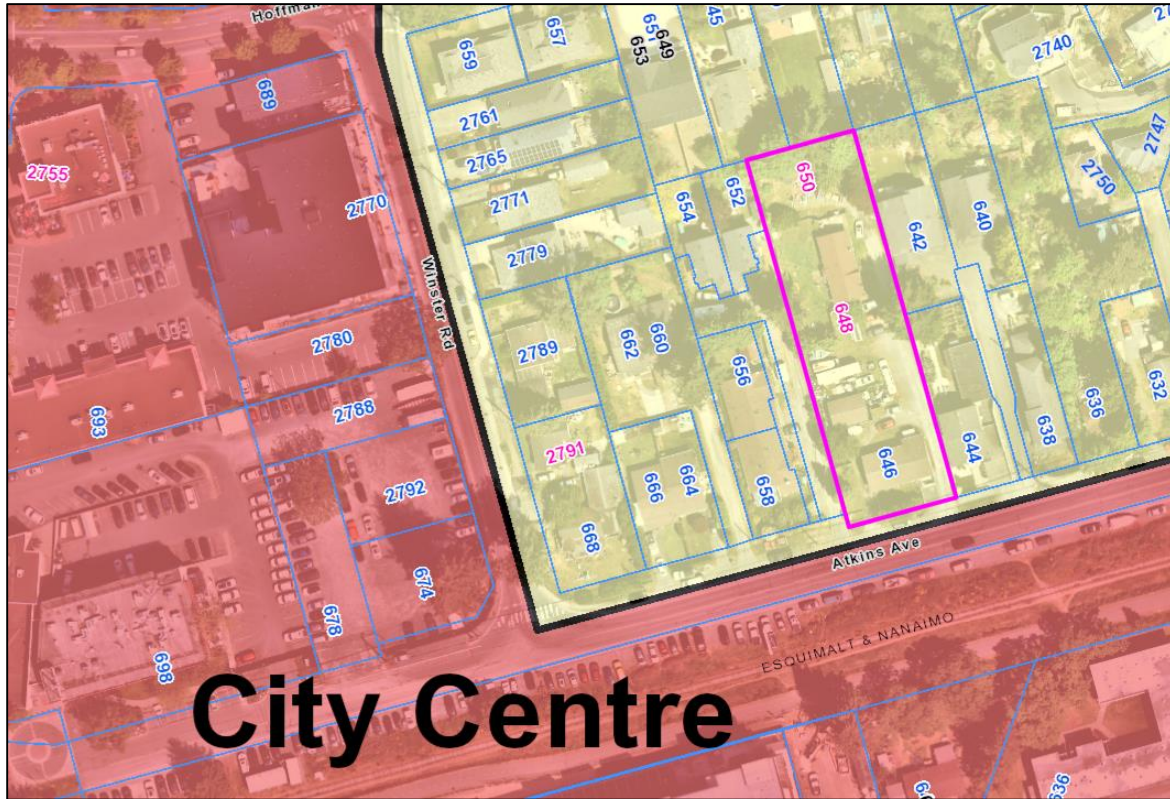
- Existing settled areas throughout the community predominantly located on the valley floor.
- Predominantly residential precinct that supports a range of low and medium density housing choices including secondary suites
- This area allows for residential and mixed-use commercial intensification of streets that connect centres and/or are serviced by transit
- Schools, community facilities and other institutional uses are permitted throughout the area
- Retail serving local residents is encouraged along transportation corridors
- Home-based businesses, live-work housing is encouraged
- Parks, open spaces and recreational facilities are integrated throughout the area
- This area allows for Neighbourhood Centres to emerge in the form of medium density mixed-use nodes at key intersections.

Figure 1: A Concept for Neighbourhood Areas



The Neighbourhood area also calls for small lot subdivision and clustered densification in established areas, which is achieved through this proposal. The property borders the City Centre Official Community Plan designation.

Figure 3: Official Community Plan Map



DEVELOPMENT PERMIT AREAS

The subject property does not fall within any environmental or hazardous development permit areas. A development permit for Form and Character will be required prior to subdivision approval, at which point the owner will need to identify which housing types will occur on which lots.

LOW CARBON CONCRETE

In accordance with Council’s Low Carbon Concrete Policy POL-0167-PLAN, Council may wish to require the applicant to utilize ready-mix concrete that meets or exceeds the weighted average Global Warming Potential targets based on Concrete BC Baseline (average) mix data for the construction of the proposed development.

FINANCIAL IMPLICATIONS:

Rezoning the subject properties to permit higher density of development will increase the assessed value of lands and eventually will increase municipal revenue due to the number of units created. As the developer is responsible to complete all frontage improvements, the direct capital costs to the City

associated with this development will be negligible. A summary of Amenity Contributions and Development Cost Charges that the developer will be expected to pay, is outlined in Tables 4 and 5 below.

COUNCIL'S AMENITY CONTRIBUTION POLICY

The amenity contributions that apply as per Council's current Affordable Housing and Amenity Contribution Policy are summarized in Table 4 below. No estimated total has been provided as it will depend on which housing type is constructed.

Table 4 – Amenity Contributions per Council Policy

Amenity Item	Per unit contribution
<i>General Amenity Reserve Fund</i>	\$3,660 per townhouse unit
	\$3960 per single family lot or duplex half
<i>Affordable Housing Reserve Fund</i>	\$610 per townhouse unit
	\$660 per single family lot or duplex half

Table 5 - Development Cost Charges

Development Cost Charge	Per Unit Contribution
<i>Roads</i>	\$3,865 per dwelling unit
<i>Park Improvement</i>	\$1,948 per dwelling unit
<i>Park Acquisition</i>	\$130 per dwelling unit
<i>ISIF</i>	\$371.25 per dwelling unit
<i>ISA</i>	\$52 per lot created
<i>CRD Water</i>	Depends on housing typology and overall site density
<i>School Site Acquisition</i>	Depends on housing typology and overall site density
TOTAL DCC's (estimated)	TBD

LEGAL IMPLICATIONS:

Should Council choose to proceed with consideration, the application will be prohibited from being the subject of a Public Hearing, as per the changes made by the Province to the *Local Government Act* through *The Housing Statutes (Residential Development) Amendment Act, 2023*.

The amenity contributions specified in Table 4 above are incorporated into Bylaw No. 2203 and will be payable at the time of building permit/subdivision approval along with the current Development Cost Charges specified in the various DCC Bylaws.

Council's other conditions of approval would be registered in a Section 219 Covenant in priority of all other charges on title prior to consideration of Bylaw Adoption.

OPTIONS:

Option 1

THAT the Sustainable Development Advisory Committee recommend that Council:

1. Proceed with consideration of First, Second, and Third Reading of Bylaw No. 2203, following public notification, to amend the zoning designation of the properties located at 646 Atkins Avenue from the R2 Zone to the RS1 Zone subject to the following terms and conditions:
 - a. That the applicant provides, **as a bonus for increased density**, the following contributions per lot, **prior to the subdivision approval**:
 - i. \$610 per townhouse unit towards the Affordable Housing Reserve Fund
 - ii. \$660 per single family home or half duplex towards the Affordable Housing Reserve Fund;
 - iii. \$3,660 per townhouse unit towards the General Amenity Reserve Fund; and
 - iv. \$3960 per single family home or half duplex towards the General Amenity Reserve Fund.
 - b. That the applicant registers, **prior to Bylaw Adoption**, a road dedication plan, to the satisfaction of the Director of Engineering;
 - c. That the applicant, **prior to Bylaw Adoption**, registers a Section 219 covenant 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 to the issuance of a building permit:
 1. Full frontage improvements; and
 2. A storm water management plan.
 - ii. That the following will be provided and implemented to Bylaw No. 1000 standards to the satisfaction of the Director of Engineering prior to any land alteration:
 1. A construction parking management plan; and
 2. A mitigation plan.

- iii. That the applicant shall apply for subdivision utilizing the plan demonstrated to Council during the rezoning process, or one that is substantially similar demonstrating that all new lots created are below 280 m² in size;
- iv. Tree protection fencing shall be installed by the project arborist for all trees identified for retention in the arborist report prepared by SouthShore Forest Consultants dated July 19th, 2024, prior to the commencement of any work on site, and shall be maintained throughout the construction period;
- v. Acknowledgement that the site is in proximity to an existing rail corridor that may be utilized for transportation uses in the future such as, but not limited to rail, bus, or other, that these uses may result in general nuisances, and that the owner and all future owners assume all risk and annoyance of such nuisances;
- vi. That all concrete used on-site will utilize ready-mix concrete that meets or exceeds the weighted average Global Warming Potential targets based on Concrete BC Baseline (average) mix data, and that prior to the issuance of a Building Permit the applicant shall provide a Type III Environmental Product Declaration that is 3rd party verified specifying the total Global Warming Potential value and confirming that the proposed development meets the requirements of Low Carbon Concrete Policy POL-0167-PLAN;

AND

2. Proceed with consideration of First, Second, and Third Reading of Bylaw No. 2203, following public notification, to amend the required parking for residential uses in Restricted Zones specified in Part 4 of Zoning Bylaw No. 300 as follows:

Residential uses on Lots within a Restricted Zone and shown on Schedule AA that have a lot area of 281 m ² or greater	0 spaces per dwelling unit
Residential uses on Lots within a Restricted Zone that have a lot area of less than 281 m ² developed	1 space per dwelling unit

AND

3. Authorize the Director of Development Services to issue a setback variance to the exterior side lot line of the existing dwelling unit only to 1.59 m instead of the required 3m.

OR Option 2

THAT the Sustainable Development Advisory Committee recommend that Council take no action with respect to this application to rezone 646 Atkins Avenue under Bylaw No. 2203 until such time as the following items are addressed and reviewed by the Sustainable Development Advisory Committee:

- a. _____;
- b. _____;
- c. _____;

SUBMITTED BY: Julia Buckingham, Planner II

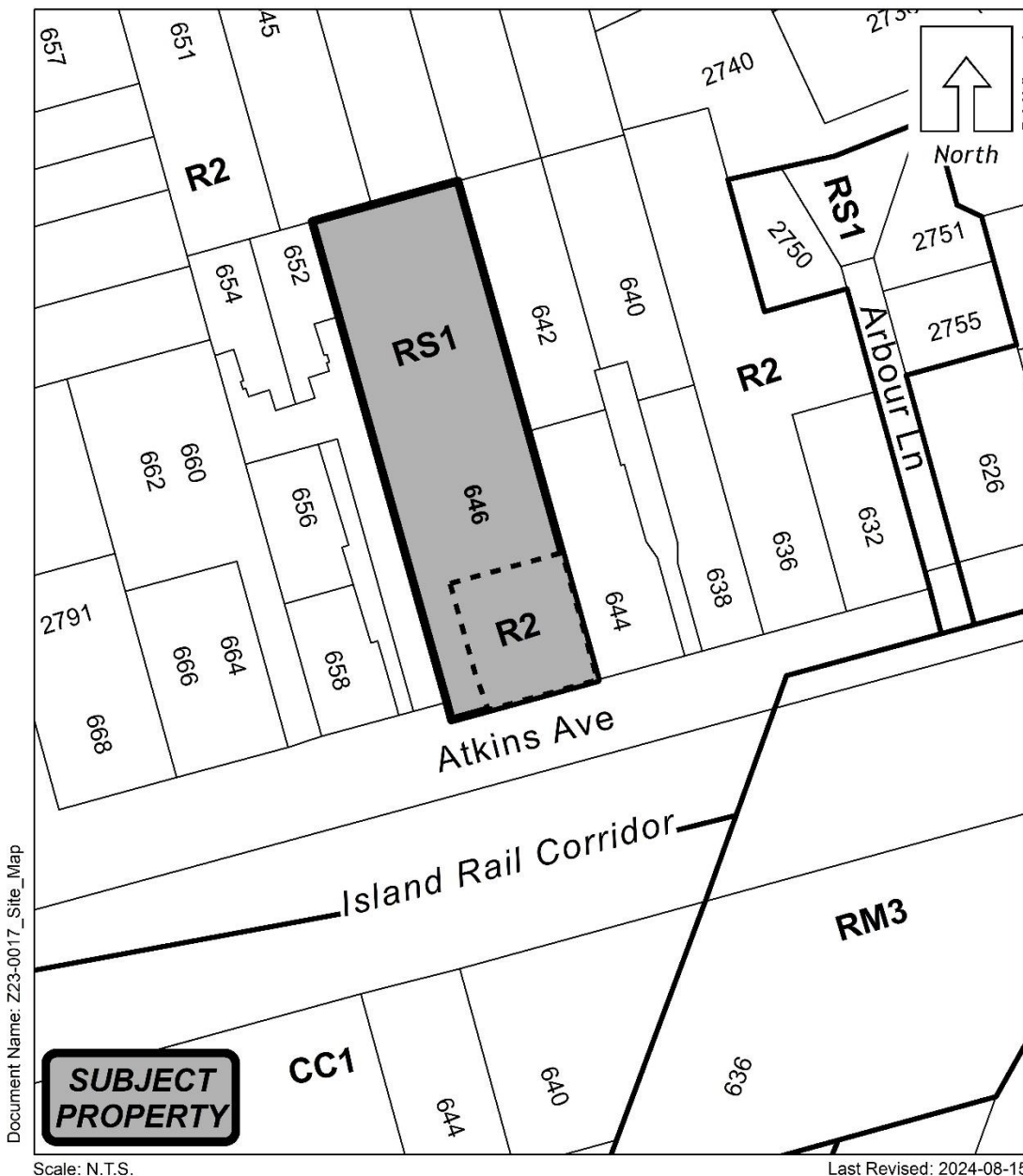
- Concurrence:** Matthew Baldwin, RPP, MCIP, Director of Development Services
- Concurrence:** Leah Stohmann, RPP, MCIP, Director of Community Planning and Climate Change
- Concurrence:** Melisa Miles, Manager of Legislative Services
- Concurrence:** Donna Petrie, Senior Manager of Communications & Economic Development
- Concurrence:** Yari Nielsen, Director of Parks, Recreation and Facilities
- Concurrence:** Katelyn Balzer, P.Eng., Director of Engineering and Public Works
- Concurrence:** Marie Watmough, Director of Legislative & Protective Services
- Concurrence:** Darren Kiedyk, Chief Administrative Officer

Attachments:

- Subdivision Plan
- Arborist Report
- Bylaw No. 2203

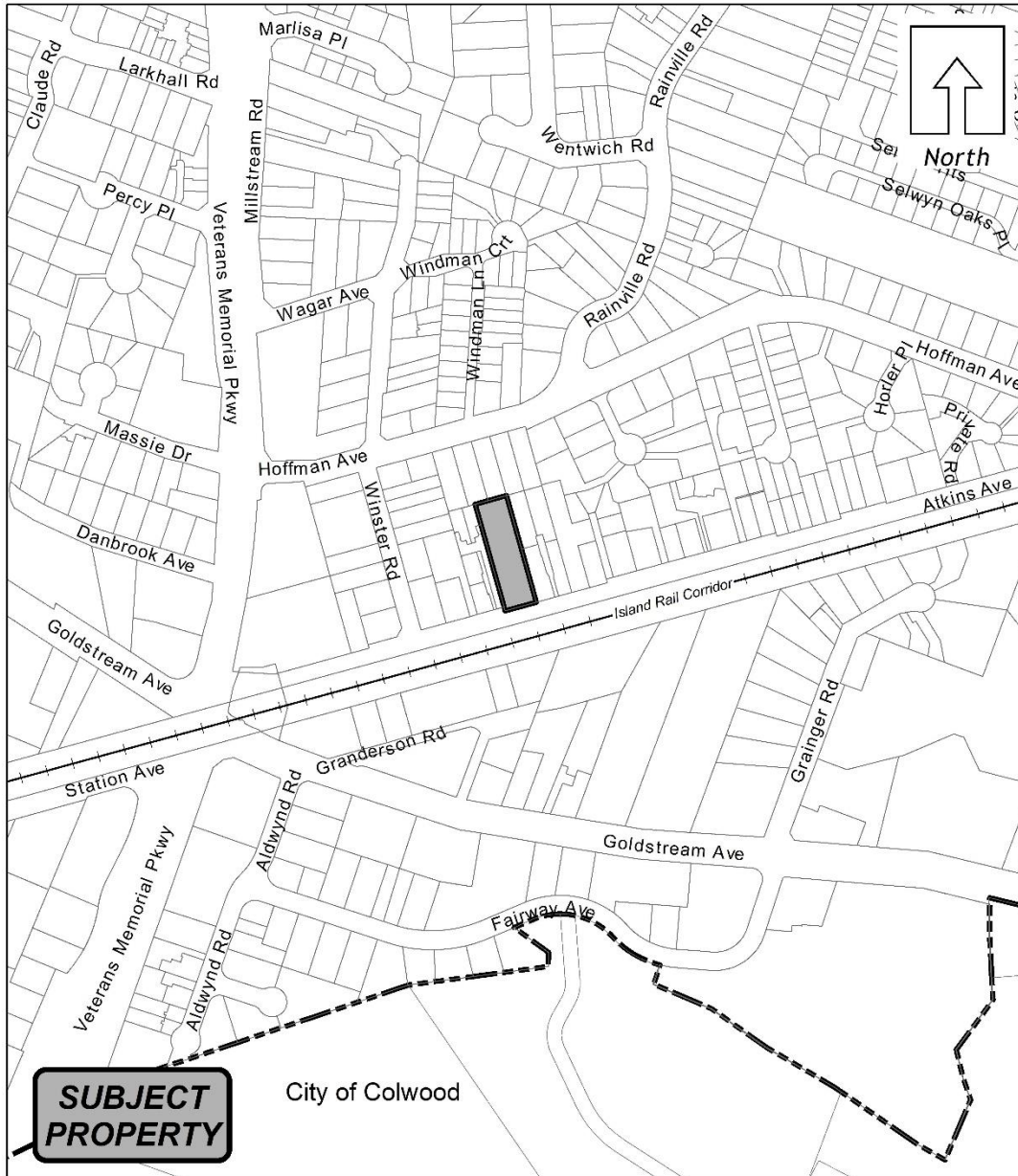
Appendix A – Site Map

**REZONING BYLAW AMENDMENT
(Z23-0017)
646 Atkins Ave**



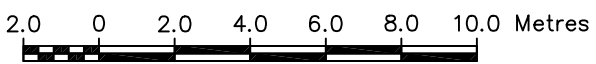
Appendix B – Location Map

**REZONING BYLAW AMENDMENT
(Z23-0017)
646 Atkins Ave**



Sketch Plan of Proposed Bare Land Strata Subdivision of Part of Lot 6, Section 72, Esquimalt District, Plan 9468.

City of Langford



The intended plot size of this plan is 432 mm in width by 560 mm in height (C size) when plotted at a scale of 1:200

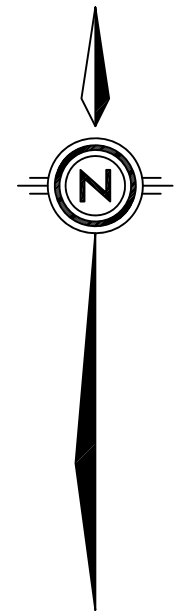
Legend:

Dimensions are derived from Land Title Office records.

All distances are in metres and decimals thereof unless otherwise indicated.

Current Zone= R2

Proposed Zone= RS1



Parcel boundaries as shown are derived from Land Title Office records only and are subject to appropriate boundary re-establishment prior to use for legal survey plan purposes. This document is for discussion purposes only. This document shall not be used for the re-establishment of property boundaries.

McIlvaney Riley Land Surveying Inc. accepts no responsibility or liability for any damages that may be suffered by a third party as a result of any decisions made, or actions taken based on this document.

1 August 2024

McIlvaney Riley Land Surveying Inc.

#113 - 2244 Sooke Road
Victoria, B.C. V9B 1X1
(250) 474-5538
www.mrls.ca

File: 6729SubProp4B



SouthShore Forest Consultants

Arborist Report

For

646 Atkins Avenue

Langford, BC

October 11, 2023

Revised July 19, 2024

Prepared for: Erich Schmitt – Residential Property Owner

Prepared by:

SouthShore Forest Consultants

SouthShore Forest Consultants

PO Box 2203, Sidney BC V8L-3S8

Phone: (250) 893-9056, email: butcherlodi@aol.com

GST # 777095324 RC001

Work Safe BC # 968408

Insurance/ Seafirst Brentwood (CFC Underwriting – 5 Million Dollar Liability- Policy
PSG03515712)

Incorporation # BC1069996 Ltd.

Business Licence – Intermunicipal - 00016808

RE: Arborist Assessment and Report.

Background/Scope of Work

Southshore forest consultants were contacted by Residential Property Owner by the name of Erich Schmitt in regard to a proposed subdivision development project located at 646 Atkins Ave in the City of Langford (CoL). Within the proposal the client is seeking to subdivide the lot into six (6) residential lots. Three (3) existing structures are currently positioned on the lot with the front main dwelling and the rear most dwelling to remain.

The client, (Erich Schmitt) has requested that SouthShore Forest Consultants provide a Basic Visual Tree Assessment (VTA) for the site located at 646 Atkins Avenue. Under the current City of Langford Tree Preservation Bylaw, any tree over 20cm in DBH (diameter at 1.4m above grade) is identified as a protected tree. Under the client's current proposal fifteen (15) trees are protected under the existing Tree Preservation Bylaw.

SouthShore Forest Consultants agreed to complete the field assessment and provide the findings in an Arborist Report form.

Methodology

On October 10, 2023 Ray Praud, an associate consulting arborist and representative from R.A Consulting preformed the basic visual tree assessment and inventory of the property.

All trees are tagged and recorded on to a spread sheet, the consulting arborists also measured the diameter, species, impact during construction, and current condition of the trees. Trees are tagged in Series "100" - #101-115.

No form of invasive testing, excavation and or drilling were performed. The site was assessed form grade.

Observations/Discussion

The site was observed to be a developed residential site along the North side of Atkins Ave. The site was observed to have an existing single family residential structure positioned on it with two (2) small secondary living spaces at the middle and rear of the property. The site was observed to be fairly level, a mix of both coniferous, deciduous and fruit trees.

Twelve (12) bylaw protected trees are positioned on the subject property while three (3) are positioned on private property. All fifteen (15) trees are protected under the current City of Langford Tree Preservation Bylaw. Three (3) bylaw protected trees are proposed for removal due to poor health and structure (#104, 111 & 109). One (1) bylaw protected tree is proposed for removal due to driveway impacts (#110). Two (2) Bylaw protected trees are proposed for removal due to their location within building footprint (#106 & 108). Two bylaw protected trees #102 & 103 are proposed for removal due to high impacts from existing building removal. Trees #112-113 will be protected and retain with ownership of these trees granted to the City of Langford for proposed road dedication.

Tree Dynamics

Tree Dynamics & Terms & Meanings

DBH - Diameter Breast Height – Calculated at 1.4 m above grade on tree stem.

PRZ – Protected Root Zone, (calculated at a ratio of 1:18) 50cm DBH = 9m PRZ.

CRZ – Critical Root Zone, (calculated at a ratio of 1:9) 60cm DBH = 5m CRZ

50cm DBH = 5m CRZ

Condition – P= Poor, F=Fair, G=Good

Footprint = Excavation edge along the outside of building envelope on grade. Over excavation is expected and can be up to a 1.5m distance from the outside of the proposed footprint edge.

Impact Zone = Constructive area, estimated at 0-1.5m outside the proposed building footprint.

Impact Levels – L (Low), M (Moderate), H (High)

Appendix “A”- Tree Inventory.

R.A. Consulting/Southshore Forest Consultants									
Appendix A - Tree Inventory/Hazard Ratings Summary									
646 Atkins Ave, Langford BC.									
Date: Oct 10-2023					Conditions during TTS inventory visits: 10°C, Rain, 5km/h E Breeze				
Tag #	Species	DBH (cm)	PRZ (m)	Health/Structure	Bylaw Protected	Action	Inventory Update	Observations	Impact Comments
101	Big Leaf Maple	75		FP/FP	Yes	Remove		Ivy Covered. Basal stem grafted to building. 5cm dead wood. Epicormic.	Removal of existing building will require removal of tree.
102	Big Leaf Maple	80		FP/FP	Yes	Remove		Ivy Covered. Basal stem .1m from building foundation. 5cm dead wood. Epicormic.	Removal of existing building will require removal of tree.
103	Douglas Fir	Est 70		F/F	Yes	Retain		Private tree Protect and Retain. Dead wood. Over extended limbs. Tag on fence.	Low impact.
104	Big Leaf Maple	45		P/P	Yes	Remove		Sweeping stem at grade. Dead wood. Heavily ivy covered. Crown dieback. Poor live crown ratio.	Remove due to poor health and structure.
105	Cherry	23		FP/FP	Yes	Retain		Hardware attached to stem. Basal wound 1m AG.	Low impact.
106	Cherry	21		FP/P	Yes	Remove		Hardware attached to stem. One horizontal scaffold has advanced decay and sloughing bark.	Remove due to proximity to building footprint.
107	Plum	27		FP/FP	Yes	Retain		Heavily epicormic. Hardware attached to stem. Multi stem with poor angle of attachments.	Low impact.
108	Pear	26/20		FP/F	Yes	Remove		2 stems 1 tag. In building footprint. Rust foliar disease.	Remove due to location in building footprint.
109	Cherry	65		FP/P	Yes	Remove		Large cavity under root crown. Root plate lift.	Remove due to Driveway impacts and High Hazard Rating.
110	Juniper	36		F/F	Yes	Remove		Utility Interference. Driveway impacts.	Remove due to driveway impacts.
111	Juniper	32		P/P	Yes	Remove		Root compaction. Previously topped. Dead	Fire Hazard. Dead.
112	Juniper	21		FP/FP	Yes	Retain		Multi stem .5m AG. Included bark.	Proposed road dedication to City of Langford.
113	Juniper	22		FP/FP	Yes	Retain		Multi stem .5m AG. Included bark.	Proposed road dedication to City of Langford.
114	Douglas Fir	est 60		FP/F	Yes	Retain		Private tree Protect and Retain. 1m from property line. 10cm dead wood.	Low impact.
115	Douglas Fir	est 70		FP/F	Yes	Retain		Private tree Protect and Retain. 1m from property line. 10cm dead wood. Multi top with narrow angles of attachment.	Low impact.



Michael Butcher
SouthShore Forest Consultants
BSc Forestry
ISA-ON-0583A
TRAQ# 1401
Certified Tree Appraiser #1434

Ray Praud

R.A. Consulting.

Rdp.arbor@gmail.com

250-661-7079

Certified Utility Arborist: 19-TT-20

ISA/TRAQ Certified Arborist- PN-9461A

Wildlife Danger Tree Assessor: 8302



ATTACHMENTS

- Appendix A – Tree Inventory
- Appendix B - Tree Site Map/Site Photos

Although the site has been assessed, trees in the landscape are dynamic and changes could occur. This report is a static representation of the site during our assessment on October 10, 2023.

Arborist Disclosure Statement:

Arborists are tree specialists who use their education, training and experience to examine trees, recommend measures to enhance the beauty and health of trees, and attempt to reduce the risks.

Arborists cannot detect every condition that could possibly lead to structural failure of a tree. Trees are living organisms that fail in ways we do not fully understand. Conditions are often hidden within trees and below the ground.

Arborists cannot guarantee that the tree will be healthy and safe under all circumstances, or for a specific period of time. Trees are dynamic specimens, not static. Changes in conditions, including the environment are unknown.

Remedial treatments cannot be guaranteed.

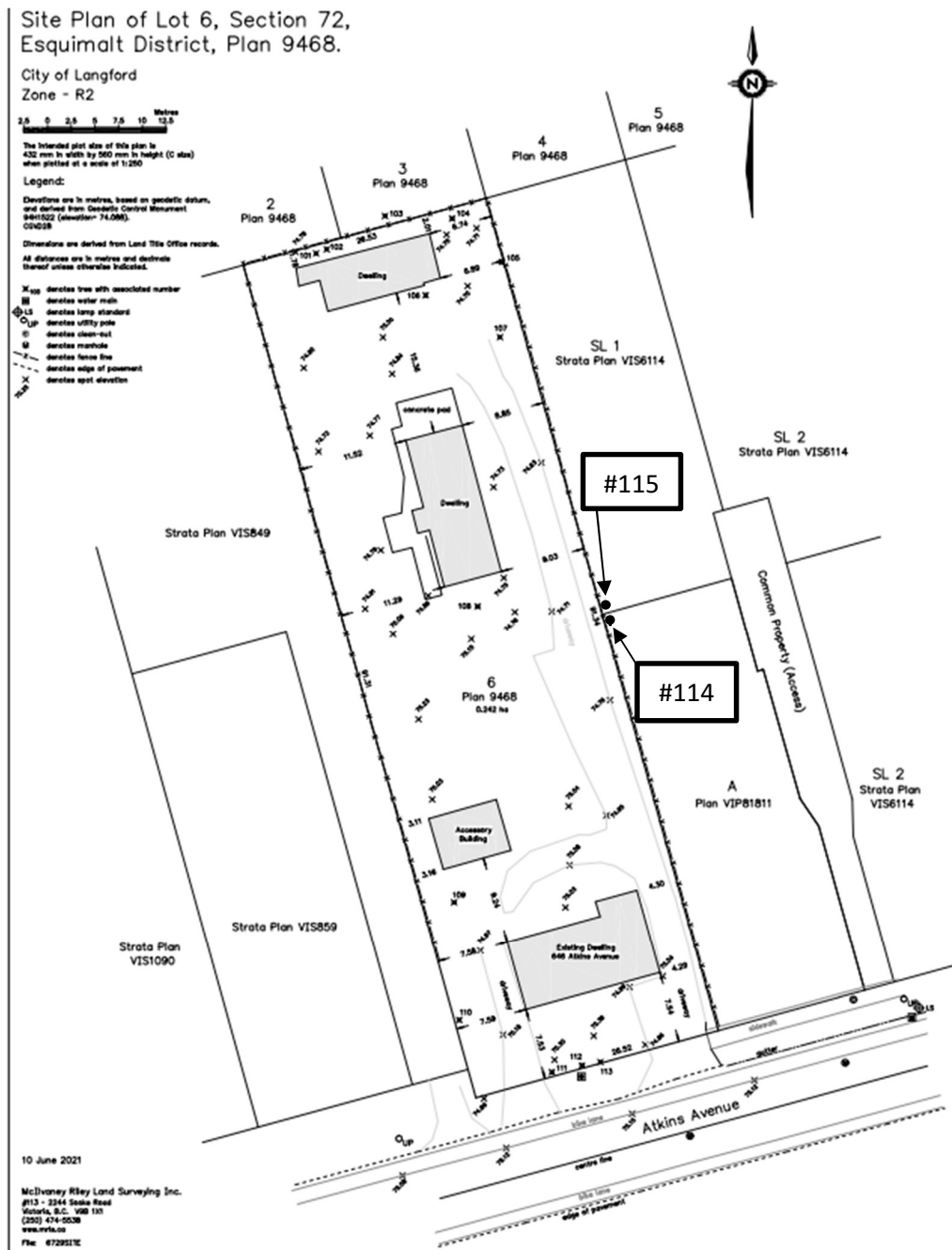
Trees can be managed, but they cannot be controlled. The only way to eliminate all risk is to eliminate all trees.

Tree Assessment Condition Rating

- Good - A tree specimen which is exempt defects, branch dieback, moderate insect and fungal identification. This tree has evenly distributed branching, trunk development and flare. The root zone is undisturbed, leaf, bud and flower production and elongation are normal for its distribution.
- Fair - A tree specimen which has minor defects, branch dieback, previous limb failure, identification of cavities and insect, or fungal identification. This tree has multiple (2-3) primary stem attachments; previous utility pruning, callus growth and poor wound wood development. Minor root girdling, soil heave and identifiable mechanical damage to the root flare or root zone.
- Poor- A tree specimen where 30-40% of the canopy is identifiably dead, large dead primary branching, limited leaf production, bud development and stem elongation. Limb loss or failure, and heavy storm damage leading to uneven weight distribution. Large pockets of decay, multiple cavities, heavy insect and fungal infection. Root crown damage or mechanical severing of roots. Root plate shifting, heavy lean and movement of soil.
- Dead- Tree has been observed to be dead with no leaf, foliar and bud development. No stump sprouts and root suckers are present.

Appendix “B” – Site Photos

Figure #1a – Tree Site Map – 646 Atkins Avenue. Langford, BC.
Current site map.



**Figure #1b – Tree Site Map – 646 Atkins Avenue. Langford, BC.
Proposed site map.**

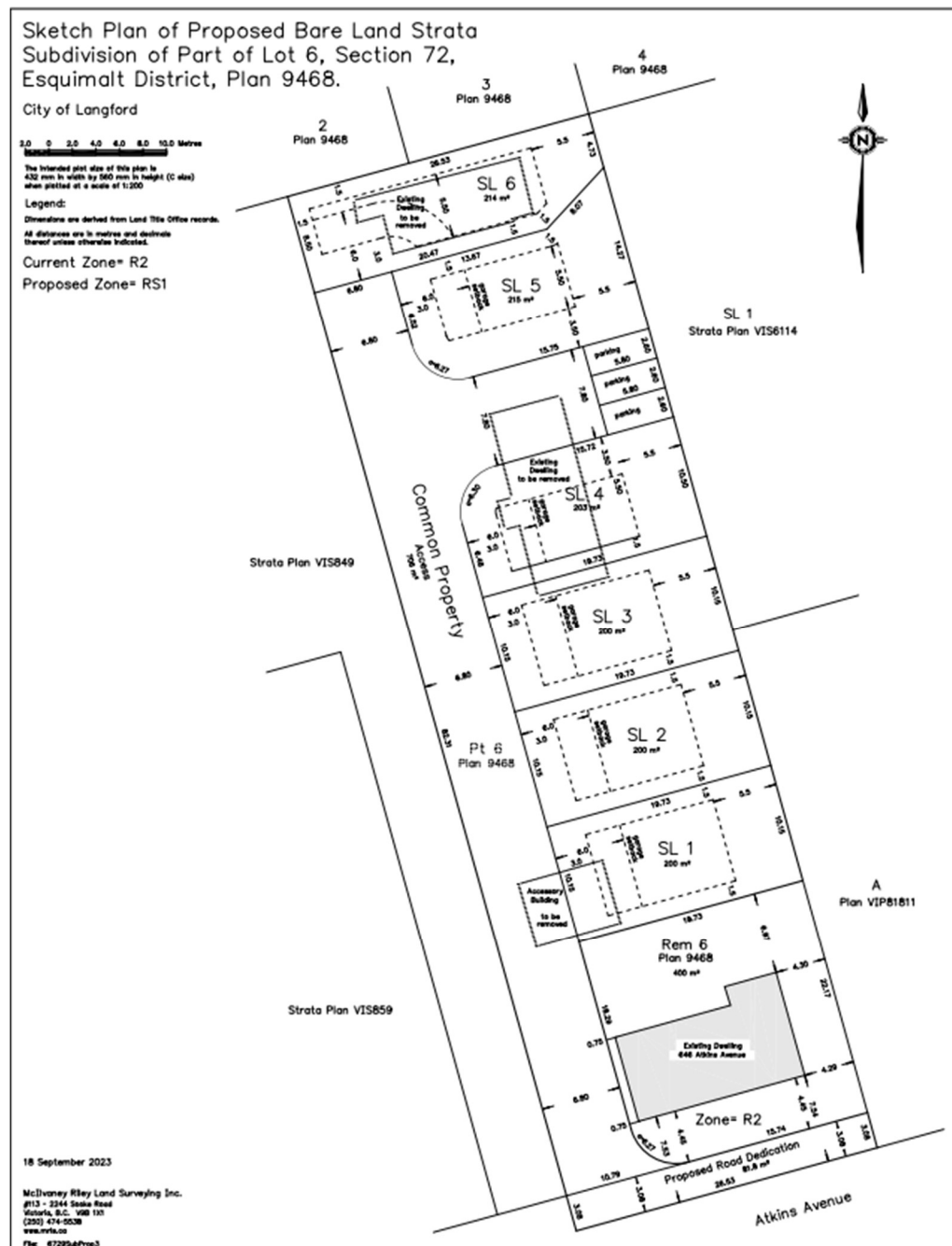


Figure #2 –Site Photo- NW view of driveway. Atkins Ave frontage.



Figure #3- Site Photo- Atkins Ave frontage. White line indicates proposed driveway.

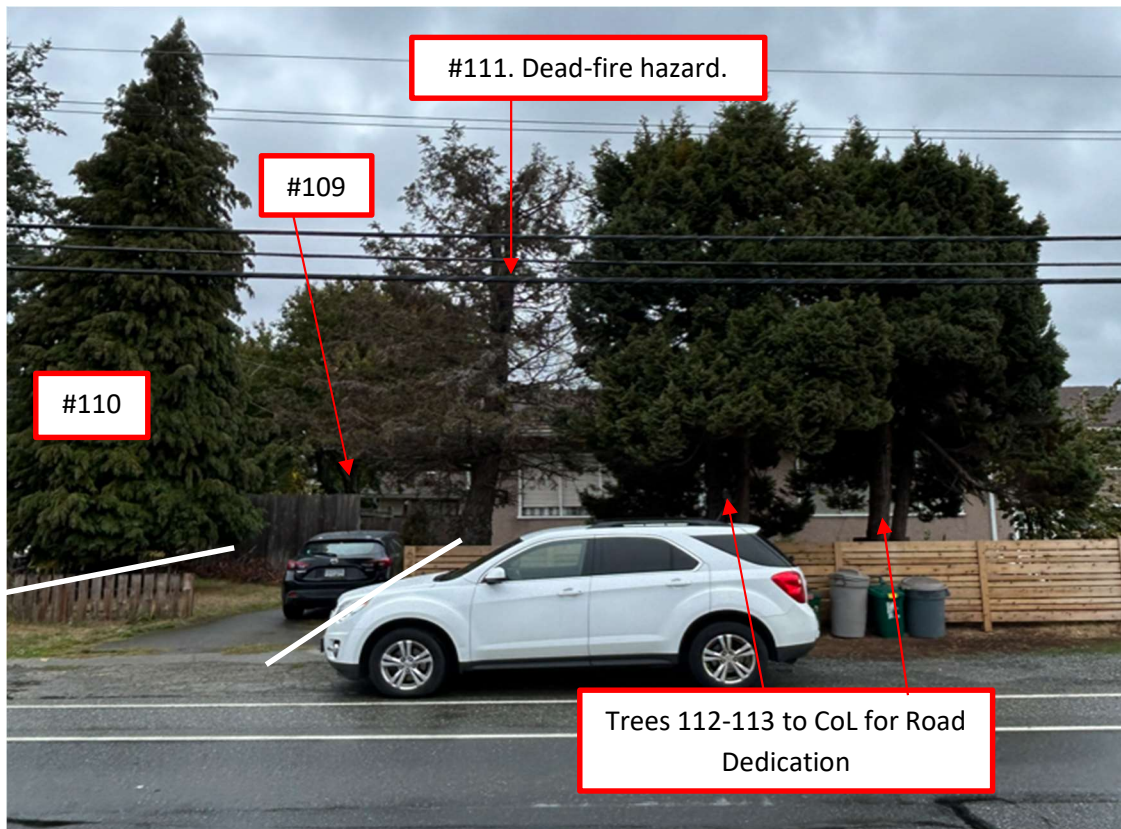


Figure #4- Site Photo- West facing from driveway.



Figure #5- Site Photo- Tree #109 poor rooting structure. Showing root plate lift and cavity. Dangerous-Remove.

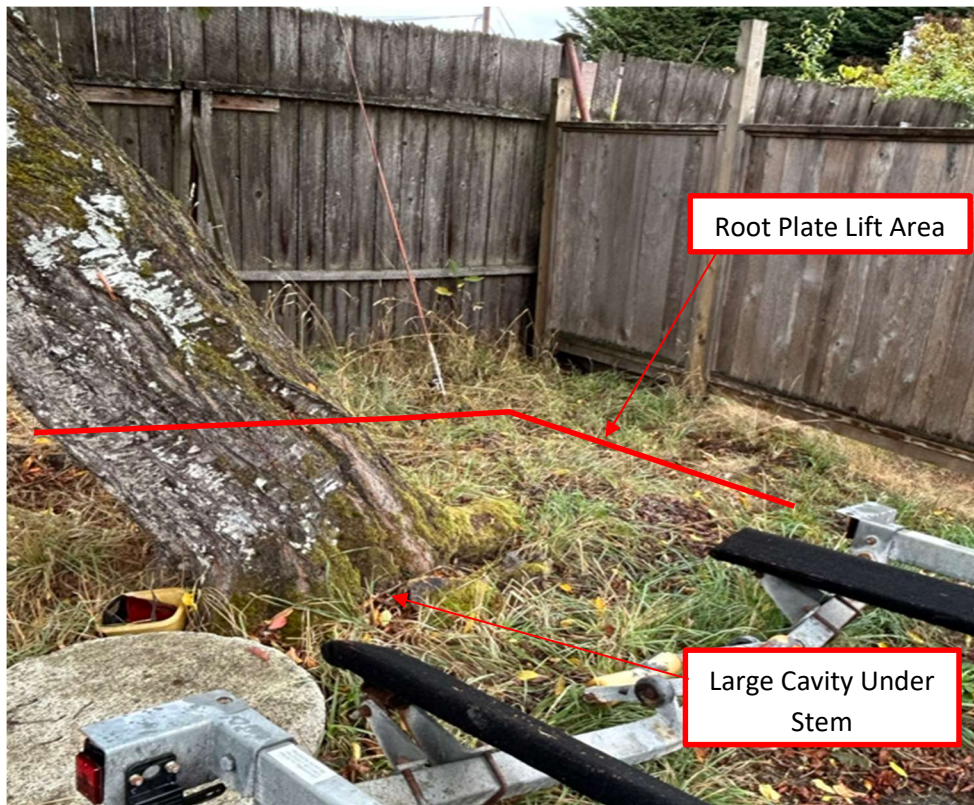


Figure #6- Site Photo- North facing to back of lot showing trees #101-105.



Figure #7 Site Photo- SE facing. Private trees #114 & 115.



CITY OF LANGFORD BYLAW NO. 2203

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 Table 1 of Section 4.01.01, within Section "*I. Residential*", the following:

Residential uses on Lots within a Restricted Zone and shown on Schedule AA, in Bylaw No. 300 (<i>Bylaw No. 2183</i>)	0 spaces per dwelling unit
--	-----------------------------------

2. By adding to table Table 1 of Section 4.01.01, within Section "*I. Residential*", the following:

Residential uses on Lots within a Restricted Zone and shown on Schedule AA that have a lot area of 281 m ² or greater	0 spaces per dwelling unit
Residential uses on Lots within a Restricted Zone that have a lot area of less than 281 m ² developed	1 space per dwelling unit

3. By deleting from the R2 (One- and Two-Family Residential) Zone and adding to the RS1 (Residential Small Lot) Zone legally described as Lot 6, Section 72, Esquimalt District, Plan 9468, PID No. 004-508-602 (646 Atkins Avenue); as shown shaded on Schedule A attached to and forming part of this Bylaw.

4. 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
RS1	2203	<ul style="list-style-type: none"> Lot 6, Section 72, Esquimalt District, Plan 9468, PID No. 004-508-602 (646 Atkins Ave) 	a) \$610 per townhouse unit towards the Affordable Housing Reserve Fund b) \$660 per single family home or half duplex towards the Affordable Housing Reserve Fund; c) \$3,660 per townhouse unit towards the General Amenity Reserve Fund; and d) \$3960 per single family home or half duplex towards the General Amenity Reserve Fund.	No

B. This Bylaw may be cited for all purposes as "Langford Zoning Bylaw, Amendment No. 738 (646 Atkins Avenue), Bylaw No. 2203, 2024".

READ A FIRST TIME this day of , 2024.

READ A SECOND TIME this day of , 2024.

READ A THIRD TIME this day of , 2024.

APPROVED BY THE MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE this day of , 2024

ADOPTED this day of , 2024.

PRESIDING COUNCIL MEMBER

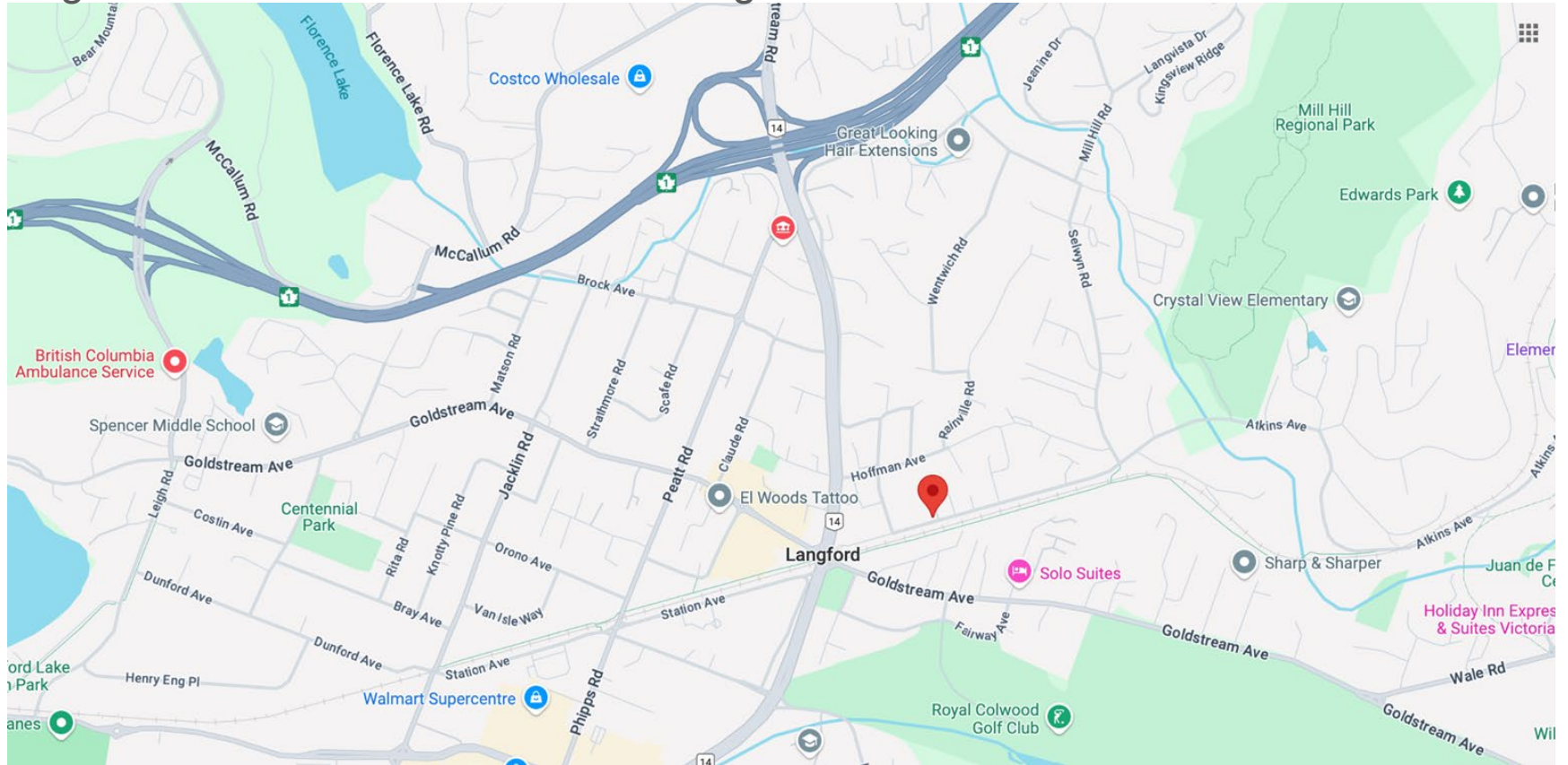
CORPORATE OFFICER

Schedule A



646 Atkins Ave Rezoning Application

Fig 1. General Location - Central Langford

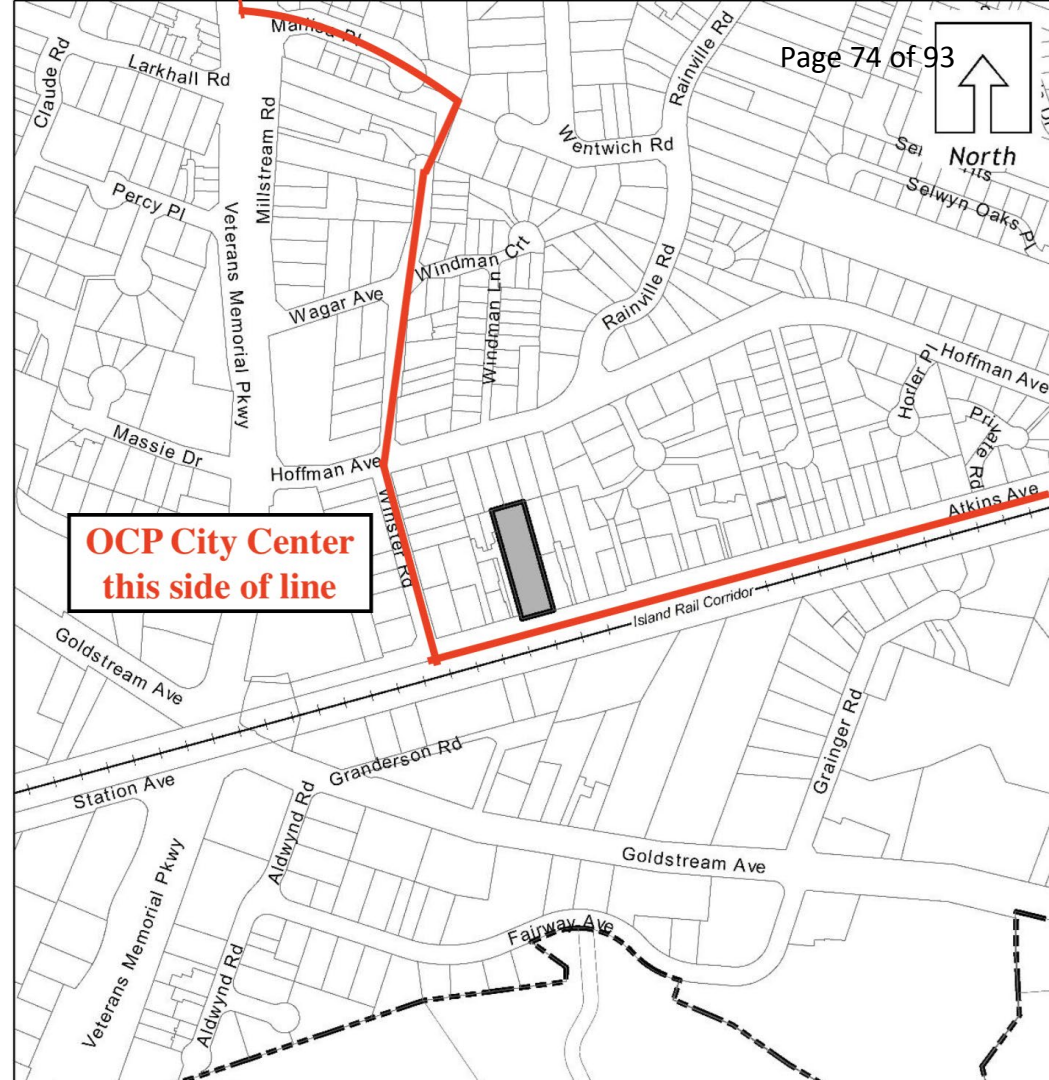
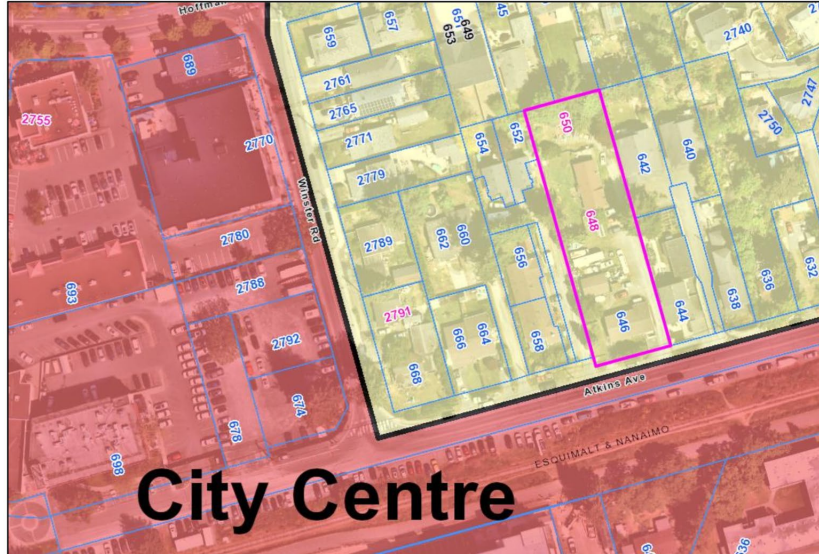


Zoomed in location.

On edge of “City Center”

Transition zone from higher density
“Downtown Core’ into lower density
SFRs

Figure 3: Official Community Plan Map



What it is currently



R2 zoning:

- 1 Main house
- 2 ADUS
- Shed
- Bare land



Proposal: "What we want to do"

- 1) Carve off front house (R2, freehold)
- 2) Rezone "back" from R2 to RS1
- 3) Subdivide back into 6 RS1 lots (land strata)



Sketch Plan of Proposed Bare Strata Subdivision of Part of Lot 6, Section 72, Esquimalt District, Plan 9468.

City of Langford
 20 0 20 40 60 80 100 Metres
 The intended plot size of this plan is 432 m in width by 260 m in height (C size) when platted at a scale of 1:200
 Legend:
 Dimensions are derived from Land Title Office records. All distances are in metres and decimals thereof unless otherwise indicated.
 Current Zone= R2
 Proposed Zone= RS1



Parcel boundaries as shown are derived from Land Title Office records only and are subject to appropriate boundary re-establishment prior to use for legal survey purposes. This document is for discussion purposes only. This document shall not be used for the re-establishment of property boundaries.
 McIlwain Riley Land Surveying Inc. accepts no responsibility or liability for any damages that may be suffered by a third party as a result of any decisions made, or actions taken based on this document.
 1 August 2024
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 #113 - 2244 Sooke Road
 Victoria, B.C. V8B 1X1
 (250) 474-0538
 www.mrls.ca
 File: 67295dPProp48

What it might look like

Example of similar RS1 density:
Foxwood Plc, Happy Valley area



Comparison to current R2 zoning

- No change in maximum allowed density
- No change in building heights or setbacks

Under current R2 zoning can subdivide “back area” into 3 lots with max 6 units/lot

Under proposed RS1 zoning can subdivide back into 6 lots with max 3 units/lot

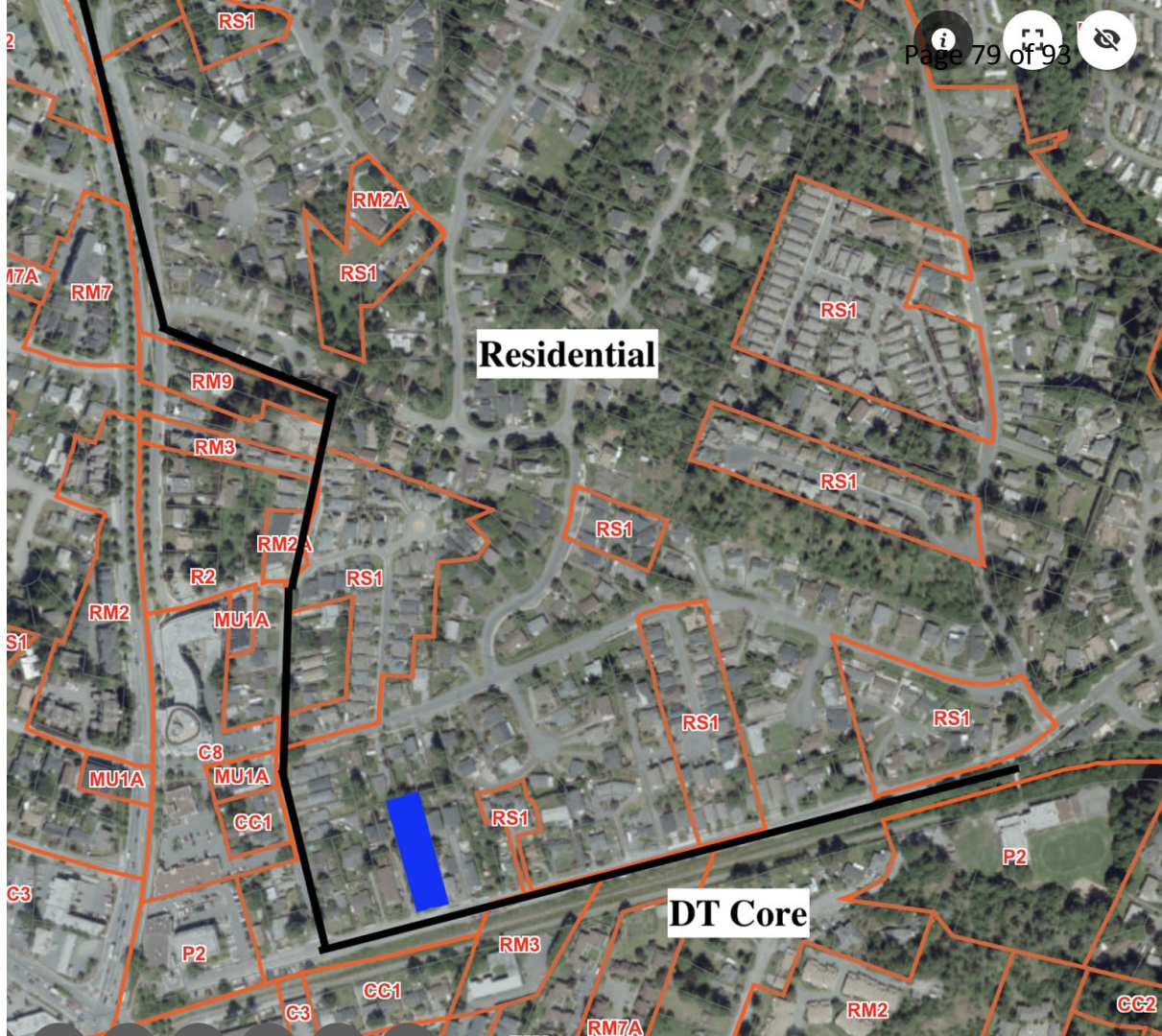
R2: 3 lots x 6 units = 18 units max density

RS1: 6 lots x 3 units = 18 units max density

There is already lots of precedent for RS1 zoning in this area / neighbourhood

Residential neighbourhood where high density DT core transitions into lower density residential

Moderate density RS1 seems suitable in keeping with character of neighbourhood



Community Engagement

Canvassed local neighbourhood, gave 3 page printout, spoke in person with most

- Generally neutral to supportive
- Neighbours further away more neutral/indifferent
- Direct neighbours more engaged
- “Figured it was a matter of time until it was developed, glad it’s not high-rise condos”
- Main concerns: tall buildings (don’t want high-rise condos), any loss of privacy, construction noise (temporary), traffic not really a concern
- Fence: concerned about loss of privacy, fence is currently 8 ft, needs replacing, bylaw is 5.9 ft, want to retain height, ask for variance?

Area canvassed door to door



Conclusion

Current property has lots of bare land - not highest and best use

Development will add much needed “missing middle” housing supply

In keeping with character of neighbourhood

Already precedent for RS1 zoning in neighbourhood

No changes to density, heights or setbacks

6 small lots will be more affordable than 3 big ones

More likely to be owner-occupied vs potential for 3 x 6-plex apartments (rentals)

Most neighbours generally supportive or neutral, mainly glad not high-rise condos

Thank you!





City of Langford

Staff Report to Sustainable Development Advisory Committee

DATE: Monday, September 9, 2024

DEPARTMENT: Planning

APPLICATION NO.: TUP24-0003

SUBJECT: Application for a Temporary Use Permit to allow a personal service home occupation in a townhome at 2860 Turnstyle Crescent.

Executive Summary:

The homeowner, Erica Sorenson, has applied for a temporary use permit for an esthetics and permanent makeup business in a townhome for the property located at 2860 Turnstyle Crescent. Currently the zoning bylaw does not permit the attendance of clients in townhomes, only single family and two-family homes. The applicant is not requesting a variance for parking and can supply the required parking within the driveway and garage.

BACKGROUND:

PREVIOUS APPLICATIONS

There have been several previous applications in relation to the parent parcel of the subject property:

- Z-97-05 – created the CD1 (Goldstream Meadows) zone;
- Z-03-14 – text amendment / map adjustments to the CD1 (Goldstream Meadows) zone;
- Z-07-07 – text amendment / map adjustments to the CD1 (Goldstream Meadows) zone;
- DP-04-39 – land clearing within environmentally sensitive and hazardous development permit areas in the CD1 (Goldstream Meadows) zone;
- DP-08-36 – Intensive Residential development permit for 49 modular homes within Area 3 – Modular Housing;
- DVP-08-11 – variance of the maximum allowable parcel coverage (from 35% to 40% for lots without a garage or carport and to 50% for lots with a garage or carport within Area 3 – Modular Housing);
- DVP-08-26 – variance of the maximum allowable length of a cul-de-sac (from 305m to 410m) and maximum allowable parcel coverage (from 35% to 100% for parking structures and to 65%

for above-ground structures) to facilitate a subdivision and future development of Area 2 – Multi-Family Residential; and

- DP15-0036 – In 2015 a Form & Character Development permit for a 36-unit townhouse development was obtained.

This application is the first on this property since the land development has completed.

Table 1: Site Data

<i>Applicant</i>	Erica Sorenson
<i>Owner</i>	Erica Sorenson, Terry Sorenson, Nancie Sorenson
<i>Civic Address</i>	2860 Turnstyle Crescent
<i>Legal Description</i>	Strata Lot 26, Section 1, Goldstream District, Strata Plan EPS4171, PID 030-540-771
<i>Size of Property</i>	N/A
<i>DP Areas</i>	Two-family (Duplex) Multi-Family Residential
<i>Zoning</i>	Existing: Comprehensive Development 1 – Goldstream Meadows (CD1)
<i>OCP Designation</i>	Existing: Neighbourhood

SITE AND SURROUNDING AREA

The existing property, shown in Figure 1, currently contains the third phase of the stratified townhome development of which the subject property is one. The surrounding properties mostly consist of townhomes with single family homes further to the west and warehouse and commercial further to the north and east.

Figure 1: Subject Property



Table 2: Surrounding Land Uses

	Zoning	Use
<i>North</i>	CD1 (Goldstream Meadows) zone: Area 4 (Amenity and Park), Area 1 – Business Park.	City park, business park uses.
<i>East</i>	CD1 (Goldstream Meadows) zone: Area 4 (Amenity and Park), Area 1 – Business Park.	City park, business park uses, Langford Lake.
<i>South</i>	CD3 (Westhills) zone: Area 1 (Community Core), Area 2 (Single Family & Multi-family Residential Area).	Westhills community core and residential uses.
<i>West</i>	R2 (One- and Two-Family Residential), P2 (Community Institutional)	Single-family residences, two-family residences, Willway Elementary School.

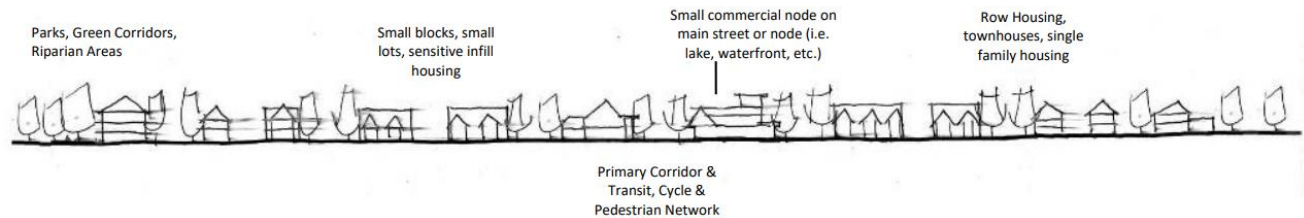
COUNCIL POLICY

OFFICIAL COMMUNITY PLAN

The Official Community Plan (OCP) Bylaw No. 1200 designated the subject properties as “Neighbourhood”, which is defined by the following text:

- Predominantly residential precinct that supports a range of low and medium density housing choices including secondary suites
- This area allows for residential and mixed-use commercial intensification of streets that connect centres and/or are serviced by transit
- Schools, community facilities and other institutional uses are permitted throughout the area
- Retail serving local residents is encouraged along transportation corridors
- Home-based businesses, live-work housing is encouraged
- Parks, open spaces and recreational facilities are integrated throughout the area
- This area allows for Neighbourhood Centres to emerge in the form of medium density mixed-use nodes at key intersections.
- Transit stops are located where appropriate Describe policies throughout document that are in line with proposal (Climate, Housing, Parks, Built Env, Multi-Modal etc.)

Figure 2: A Concept for the Neighbourhood Areas



COMMENTARY:

PROPOSAL

The applicant requests a temporary use permit to operate a personal service home occupation from her townhome at 2860 Turnstyle Crescent. The business provides esthetics and permanent makeup services to one client at a time and operates from a room on the ground floor of the home. According to Zoning Bylaw No. 300, such a business would be classified as a home business.

Currently, the zoning bylaw only permits home offices in townhomes, prohibiting client visits on-site. Home businesses involving client visits are only allowed in one or two-family dwellings on lots smaller than 4,000 m² (1 acre).

The bylaw restricts client visits to homes in multi-family structures due to concerns about parking and the impact on neighbouring residents. However, the townhomes in this development feature double garages and ample driveways, allowing sufficient parking for both the applicant's and client's vehicles. Additionally, the Kettle Creek Strata Council (EPS 4171) has provided written approval for this use.

In 2018, the applicant was issued a business license for a home office with the expectation that the business would be mobile, with the proprietor visiting clients' homes. Due to the applicant not understanding the restrictions on how the business shall operate, it has been operating from the applicant's home. The City has received no complaints about the business, nor has the strata council reported any issues.

Each request for a temporary use permit is evaluated on its own merits. Given the low impact on surrounding residents and the strata council's support, staff believes that the business has operated and can continue to operate in a feasible manner.

LEGAL IMPLICATIONS:

Pursuant to s. 497 of the *Local Government Act*, the City may issue a Temporary Use Permit (TUP) for a period of up to three years. The *Local Government Act* also allows a Temporary Use Permit to be extended for a maximum of an additional three years. If the holder of a TUP wishes to conduct the

temporary use beyond the 6 year period, they are required to make a new application to Council for a TUP, or apply for rezoning.

Section 3.27.01 of Zoning Bylaw No. 300 designates all of Langford as an area where Temporary Commercial or Industrial Use Permits may be issued. Temporary Commercial Use Permits are then considered on their individual merit. Sections 3.27.03 and 3.27.04 of the Zoning Bylaw No. 300 give Council the right to require that the form & character for the building meets guidelines for commercial properties and allows Council to ask for specific information or reports.

OPTIONS:

Option 1

THAT the Sustainable Development Advisory Committee recommend to Council:

That Council direct staff to provide notice that Council will consider issuing a Temporary Use Permit to Erica Sorenson to operate a personal service home business from the applicant’s townhome located at 2860 Turnstyle Crescent (Strata Lot 26, Section 1, Goldstream District, Strata Plan EPS4171, PID 030-540-771), subject to the following terms and conditions:

- a. That the Temporary Use Permit is issued for a period of three years from time of issuance;
- b. That the operator of the business obtains a Business Licence from the City of Langford; and
- c. That the garage must be used for parking.

OR Option 2

THAT the Sustainable Development Advisory Committee recommend that Council take no action with respect to this Temporary Use Permit application for 2860 Turnstyle Crescent (Strata Lot 26, Section 1, Goldstream District, Strata Plan EPS4171, PID 030-540-771) until such time as the following items are addressed and reviewed by the Sustainable Development Advisory Committee:

- a. _____;
- b. _____;
- c. _____;

SUBMITTED BY: Kory Elliott, Planning and Land Development Technician

Concurrence: Matthew Baldwin, RPP, MCIP, Director of Development Services

Concurrence: Melisa Miles, Manager of Legislative Services

Concurrence: Donna Petrie, Senior Manager of Communications & Economic Development

Concurrence: Yari Nielsen, Director of Parks, Recreation and Facilities

Concurrence: Katelyn Balzer, P.Eng., Director of Engineering and Public Works

Concurrence: Marie Watmough, Director of Legislative & Protective Services

Concurrence: Braden Hutchins, Deputy Chief Administrative Officer

Concurrence: Darren Kiedyk, Chief Administrative Officer

Attachment(s):

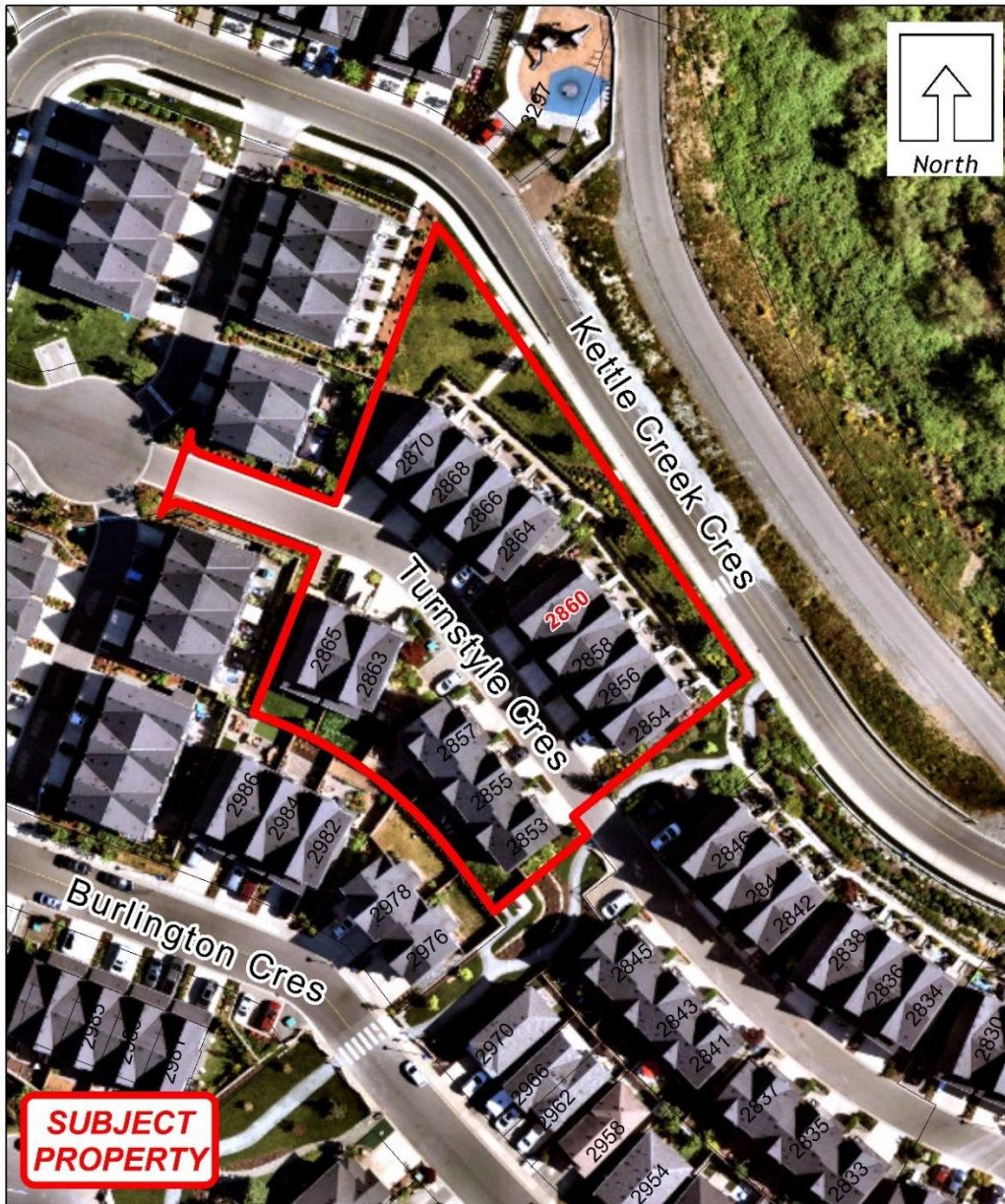
Strata Approval (2860 Turnstyle Cres.)

Parking Plan (2860 Turnstyle Cres.)

Floor Plan (2860 Turnstyle Cres.)

Appendix A – Site Map

**TEMPORARY USE PERMIT
(TUP24-0003)
2860 Turnstyle Cres**



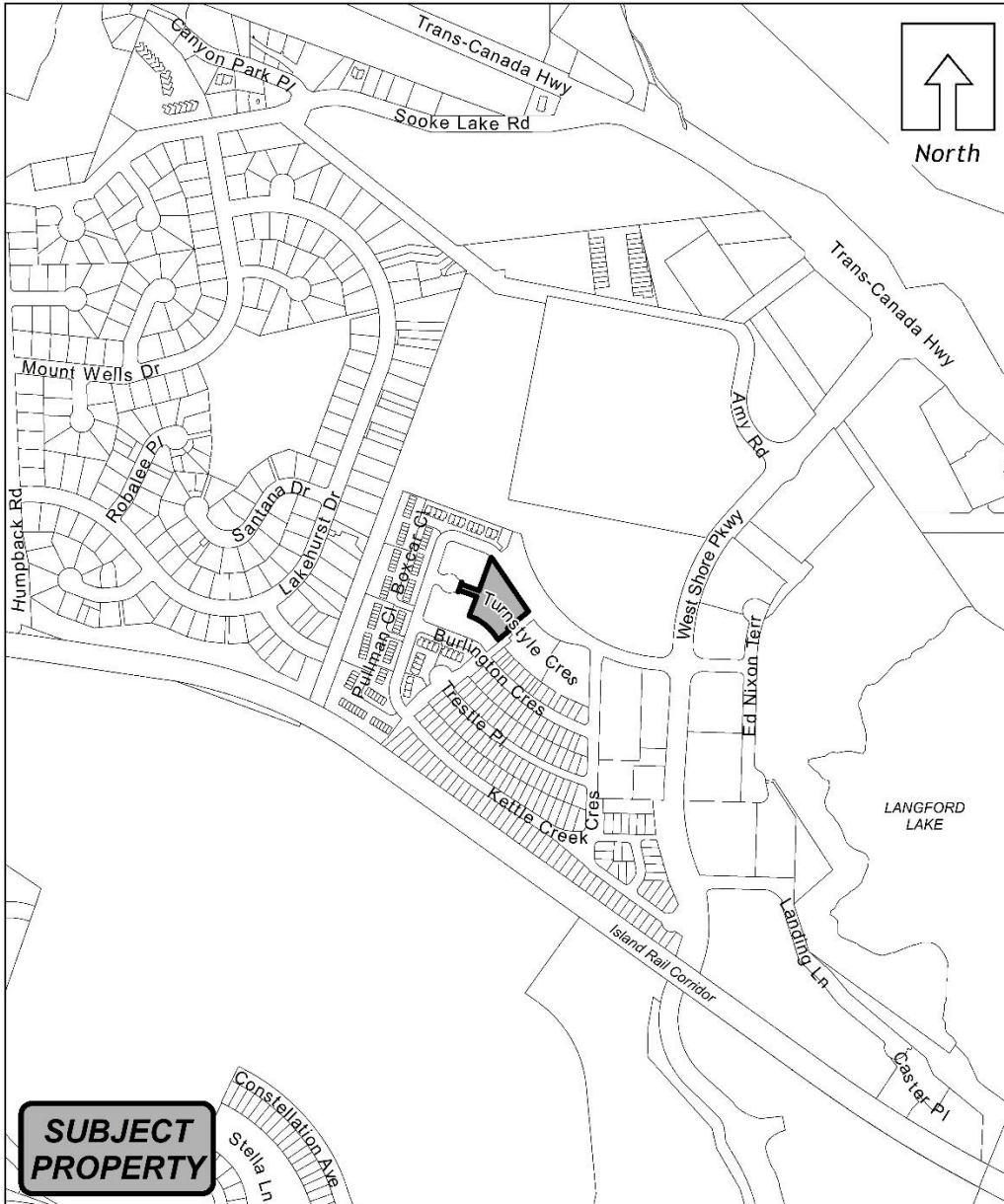
Document Name: TUP24-0003_Site_Map

Scale: N.T.S.

Last Revised: 2024-08-09

Appendix B – Location Map

**TEMPORARY USE PERMIT
(TUP24-0003)
2860 Turnstyle Cres**



Document Name: TUP24-0003_Location_Map

Scale: N.T.S.

Last Revised: 2024-08-09

CENTURY 21 Queenswood Realty Ltd.
Real Estate Sales, Property & Strata Management



City of Langford
Attn: Business Licensing
Second Floor, 877 Goldstream Avenue
Langford BC, V9B 2X8

RE: Erica Sorenson's Home-Based Esthetician Business

To whom it concerns,

The purpose of this letter is to verify that we, the Strata Council of Kettle Creek (EPS 4171), approve of and otherwise support the home-based esthetician business being operated by Erica Sorenson at 2860 Turnstyle Crescent, Langford, BC.

Erica's business has always maintained operations that respect the strata corporation's assets and the living experience of the owners. We have no concerns about her ability and intentions to continue to do so in the future.

We wish Erica success in her business ventures.

I, the undersigned, declare the sentiment of this letter and the authority to sign this letter on behalf of the Strata Council of Kettle Creek was authorized by a majority vote within the Strata Council.

Sincerely,

A handwritten signature in cursive script that reads 'Joel Owen'.

Joel Owen
Assistant Strata Manager
joel.strata@century21.ca
Century 21 Queenswood Realty Ltd.
Real Estate Sales, Property & Strata Management
2558 Sinclair Road, Victoria, BC V8N 2J6
250-477-1100 ext 221
www.century21queenswood.ca

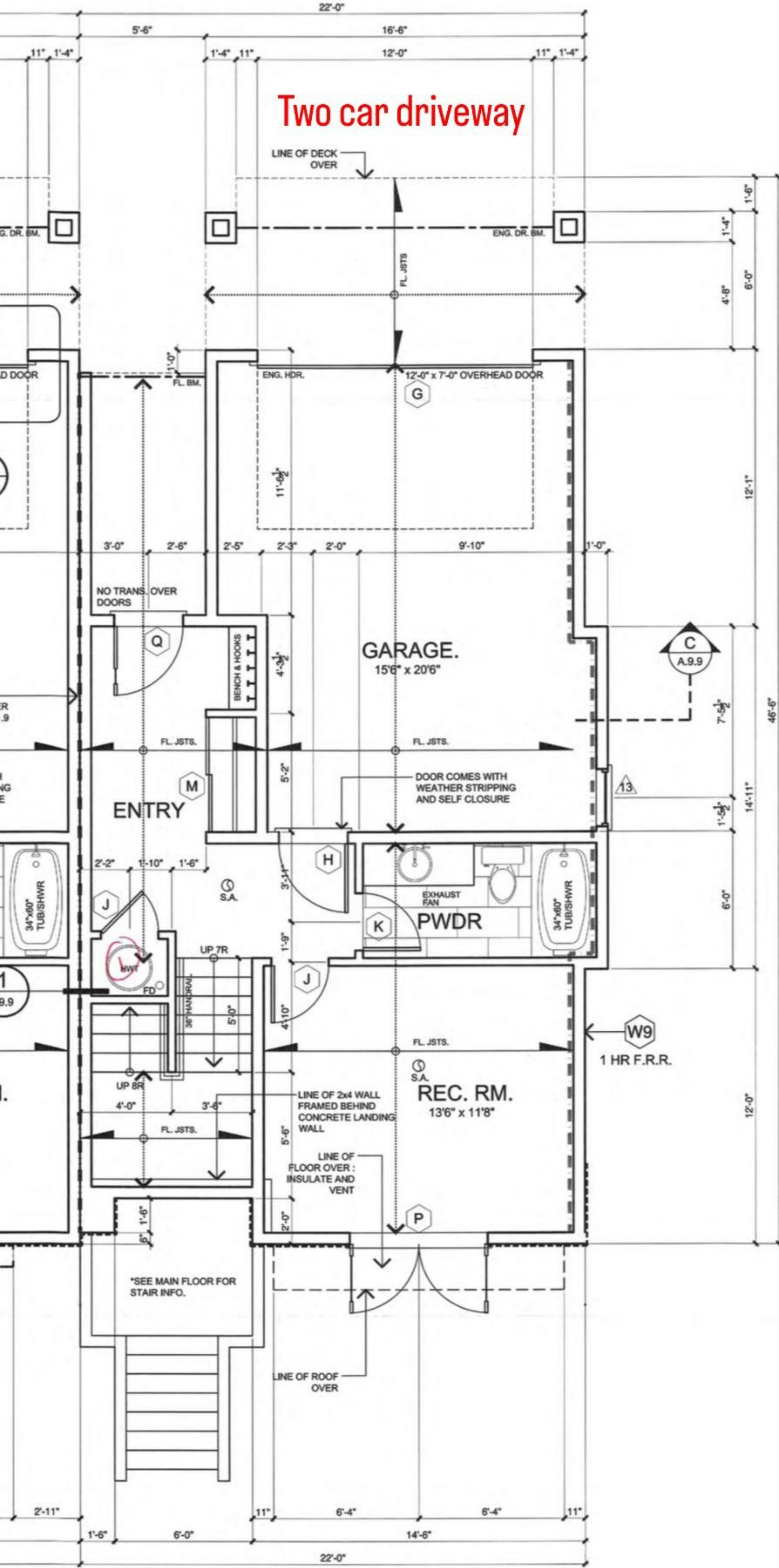
Cc: Doug Tewnion, Strata Manager, Kettle Creek EPS 4171

STRUCTURAL DRAWINGS TO TAKE PRECEDENTS WITH THE STRUCTURE. NOTIFY LUTEY ARCHITECTURE LTD IF THERE IS A CONFLICT BETWEEN THE TWO DRAWINGS



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unit - 5



① Provide restraint + expansion tank

LOWER FLOOR PLAN

445 SQUARE FEET FINISHED FLOOR AREA INCLUDING STAIR WELL



