



# Staff Report to Council

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**DATE: Monday, August 19, 2024**

**DEPARTMENT: Planning**

**APPLICATION NO.: Z23-0007**

**SUBJECT: Adoption of Bylaw No. 2163 – Application to Rezone 875 and 881 Brock Avenue and 2700, 2708, and 2712 Strathmore Road from the R2 (One- and Two-Family Residential) Zone to the CC1 (City Centre 1) Zone**

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## BACKGROUND:

At their regular meeting of May 6th, 2024, Council passed the following resolution with respect to 875 and 881 Brock Avenue and 2700, 2708, and 2712 Strathmore Road:

1. *Proceed with consideration of Bylaw No. 2163 to amend the zoning designation of the properties located at 875 and 881 Brock and 2700, 2708, and 2712 Strathmore from the R2 (One- and Two-Family Residential) Zone to the CC1 (City Centre 1) subject to the following terms and conditions:*
  - a. *That the applicant provides, **as a bonus for increased density**, the following contributions per dwelling unit and commercial gross floor area, **prior to the issuance of a building permit approval: (secured in bylaw)***
    - i. *\$750 towards the Affordable Housing Reserve Fund;*
    - ii. *\$2,850 towards the General Amenity Reserve Fund; and*
    - iii. *\$10.75 per m2 of commercial gross floor area to the General Amenity Reserve Fund;*

*Subject to reductions in accordance with the Affordable Housing and Amenity Contribution Policy and the Attainable Housing Policy depending on use and height.*
  - 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: (complete)*
    - i. *That the following will be provided and implemented to Bylaw No. 1000 standards to the satisfaction of the Director of Engineering prior to the issuance of a building permit:*
      1. *Full frontage improvements;*

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 properties be consolidated prior to issuance of a Development Permit for Form and Character;*
  - iv. *That no occupancy permit be issued for the proposed building until a strata plan for the building has been registered, to the satisfaction of the Approving Officer;*
  - v. *That a separate covenant be registered prior to issuance of a building permit for the proposed development that ensures residential parking is allocated to each unit and visitors as required by the zoning bylaw and is not provided in exchange for compensation separate from that of a residential unit;*
  - vi. *That tree protection measures are implemented by the project arborist, inclusive of tree protection fencing, prior to commencement of work to protect the trees identified for retention in the arborist report throughout the construction period, to the satisfaction of the Director of Planning;*
  - vii. *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 3<sup>rd</sup> 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;*
  - viii. *That, prior to the issuance of a Building Permit, the developer enters into a Housing Agreement with the City that requires either a minimum 10% of units constructed be rented for at least 10% below the benchmark rent for the unit type for a term not less than 25 years or that a minimum of 5% of the units constructed be directed to and sold in accordance with the terms of the Attainable Home Ownership Program Policy (POL-0166-PLAN). The developer shall identify the Attainable Units on the plans submitted for the required Development Permit application;*
  - ix. *That a minimum of 15% of all residential units be constructed to adaptable standards, to the satisfaction of the Chief Building Inspector;*
  - x. *That a minimum of 16 three-bedroom units are constructed, to the satisfaction of the Director of Planning;*

- xi. *That the project shall include a group daycare, to the satisfaction of the Director of Planning;*
  - xii. *That an entry plaza and pedestrian cut-through be constructed on the northeast corner of the site, in general accordance with the architectural drawings completed by Jay Jung Architect, dated August 11, 2023;*
  - xiii. *That the strata be responsible for maintaining the boulevard landscaping from the back of the sidewalk with the exception of boulevard trees; and*
  - xiv. *That the building be constructed with electric heat pumps.*
2. *Amend the text of Section 3.26 of Zoning Bylaw No. 300 to allow for a group daycare with a maximum of 62 children at 875 and 881 Brock and 2700, 2708, and 2712 Strathmore. (secured in bylaw)*
3. *That Council direct staff to work with the applicant, at the time of Development Permit, to ensure that the following are considered in the building design: (to be dealt with in future DP)*
- i. *Appropriate accessible parking for tenants, visitors and daycare users.*
  - ii. *Appropriate storage, with electrical outlets as may be necessary, for bicycles, cargo bicycles and mobility scooters.*
  - iii. *Incorporating adaptability and accessibility into the design of laundry facilities.*
  - iv. *Explore alternatives for shade structures in both the common outdoor (rooftop) amenity area and the outdoor play space for the daycare as well as the use of vertical gardens as a method of providing shade and privacy.*

**COMMENTARY:**

This application was 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 applicant has registered a Section 219 Covenant against the title of the subject properties that agrees to items 1. b. i-xiv in Council's resolution dated May 6th, 2024 when the Sustainable Development Advisory Committee's resolution came forward for Council consideration.

Council gave first, second and third readings of Bylaw No. 2163 on June 3rd, 2024. The information considered in relation to this Bylaw as well as the video recording of the meeting can be found at the following link on the City's website: <https://pub->

[langford.escribemeetings.com/Meeting.aspx?Id=0ab08b7c-09c6-4ebf-99da-6973e9ba3e1c&Agenda=Agenda&lang=English](http://langford.escribemeetings.com/Meeting.aspx?Id=0ab08b7c-09c6-4ebf-99da-6973e9ba3e1c&Agenda=Agenda&lang=English)

Bylaw No. 2163 was signed by the Minister of Transportation and Infrastructure on July 29th, 2024.

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

**OPTIONS:**

**Option 1**

That Council adopt Bylaw No. 2163.

**OR Option 2**

That Council not adopt Bylaw No. 2163.

**SUBMITTED BY: Julia Buckingham, Planner II**

**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:** Leah Stohmann, RPP, MCIP, Director of Community Planning and Climate Change

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

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