



Staff Report to Sustainable Development Advisory Committee

DATE: Monday, August 12, 2024

DEPARTMENT: Planning

APPLICATION NO.: Z24-0002

SUBJECT: Bylaw No. 2192 – Application to Rezone 967A Isabell Avenue from One- and Two-Family Residential (R2) and Residential Small Lot (RS1) to Residential Townhouse (RT1) to allow for the development of approximately 19 townhouse units.

EXECUTIVE SUMMARY:

Mehdi Khataw of Khataw Development has applied on behalf of Ladkeen (Canada) Ltd. to rezone 967A Isabell Avenue from R2 (One-and Two-Family Residential) and RS1 (Residential Small Lot 1) to RT1 (Residential Townhouse) to allow approximately 19 townhouse units within 6 blocks. The current proposal will require road closure and disposition of approximately 163.4m² of underutilized municipal road right of way. The proposal also includes 10.15% of usable open space and aims to preserve a significant amount of mature existing trees on and around the property. One variance from the rear lot line is requested to facilitate the proposal.

BACKGROUND:

PREVIOUS APPLICATIONS

Z16-0004 – In February 2017, the property was rezoned from R2 (One- and Two-Family Residential) to RS3 (Residential Small Lot 3) thorough Bylaw No. 1646. At the time, the applicant proposed five single-family dwellings to be developed on fee simple lots. Since then, the Small Lot Residential zones were consolidated into one RS1 zone, resulting in the current zoning of the site.

SUB16-0009 – A subdivision application was submitted in 2016, and the Statement of Conditions was issued to facilitate a 5-lot subdivision required under the previous proposal. The application has expired.

DVP16-0007 – Development Variance Permit was obtained in 2017 to allow for a permanent two-point turnaround in lieu of a cul-de-sac. This variance was to facilitate the subdivision of the parcel but has since expired.

SUB21-0024 – Another application for a 5-lot subdivision was submitted in 2021. This application expired in 2023.

DVP21-0009 – A Development Variance Permit was issued in November 2021, to reduce the rear lot line setback for two of the proposed dwellings to facilitate the development of five fee simple lots. A previously expired variance for a permanent two-point turnaround was also reissued as part of this permit. The permit expired on the second anniversary of the date of issuance.

SUB22-0030 – A boundary adjustment application to increase the size of the property at 967A Isabell Avenue by adding approximately 1,199m² of the rear yards from the three properties west of the subject site. This application was successfully completed, resulting in the current lot size, configuration, as well as split zoning of the site. This application was completed in anticipation of this townhouse proposal.

The applicant has chosen not to proceed with the subdivision of the subject site but instead wishes to pursue this application for 19 townhouse units.

Table 1: Site Data

<i>Applicant</i>	Mehdi Khataw (Khataw Development)	
<i>Owner</i>	Ladkeen (Canada) Ltd.	
<i>Civic Address</i>	967A and 967B Isabell Avenue*	
<i>Legal Description</i>	Lot A, Section 84, Esquimalt District, Plan EPP124594, PID 031-852-378	
<i>Size of Property</i>	3112 m ²	Proposed: 3274.58 m ² (including proposed road closure area)
<i>DP Areas</i>	Drainage Concern	
<i>Zoning</i>	Existing: RS1 and R2	Proposed: RT1
<i>OCP Designation</i>	Existing: Neighbourhood	Proposed: Neighbourhood

*Only the primary address is used throughout the report for convenience.

SITE AND SURROUNDING AREA

The subject property is located south of Isabell Avenue, three properties east of the Isabell Avenue and Happy Valley Road intersection. The parcel contains an established duplex and a small accessory structure, which are not proposed to be retained as part of this development. The site also contains a large diameter established frontage tree and a small cluster of tall mature trees in the northwestern portion of the site. The remainder of the lot is unvegetated and flat in nature. A report prepared by a qualified arborist has been submitted for the property and will be discussed later in this report.

The surrounding neighborhood is primarily composed of small lot and conventionally sized single-family

subdivisions. Ernhill Park, Sedgwick Park, and Ed Fisher Memorial Park are all located within a fifteen-minute walk from the subject site. Galloping Goose Regional Trail is located approximately 175m from the development site, with the closest access point off the Isabell Avenue cul-de-sac. Happy Valley Elementary School is located approximately 550m away from the site. 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.

The proposed development is also located within 800m of a Controlled Access Highway under the jurisdiction of the Ministry of Transportation and Infrastructure (MoTI) and is therefore subject to their review and approval. During the referral stage of the application, MoTI has not identified any concerns with the proposal and indicated that they have no objection to the proposal in principle.

Figure 1: Subject Property and Surrounding Neighbourhood



Table 2: Surrounding Land Uses

	Zoning	Use
<i>North</i>	RS1 (Residential Small Lot) R2 (One- and Two-Family Residential)	Single-family dwellings, duplex
<i>East</i>	RS1 (Residential Small Lot)	Small lot single-family dwellings
<i>South</i>	RS1 (Residential Small Lot)	Small lot single-family dwelling
<i>West</i>	R2 (One- and Two-Family Residential)	Single-family dwellings

COMMENTARY:

DEVELOPMENT PROPOSAL

As noted above, the applicant is proposing to rezone the subject property from RS1 and R2 to RT1 to allow for approximately 19 townhouse units within six blocks. The proposed site plan can be seen below as Figure 2.

Figure 2: Proposed Site Plan



Five of the townhouse blocks contain three units, while the remaining block is composed of four dwelling units. Four of the blocks feature single-wide double car garages and two storeys of living space above, which are large enough to accommodate 3-bedroom layouts plus a den space on the main floor. The three

blocks along the rear of the lot feature single-car garages with one additional parking stall contained within a carport, and a recreational room on the ground floor. All proposed units contain a minimum of two bedrooms and a den, making them suitable for families with children and other larger household types.

Each unit includes two parking spaces, which meets the requirement of the Zoning Bylaw No. 300. Additionally, the applicant has identified that each garage will be equipped with an EV charger. The applicant is also proposing a total of 4 visitor parking spaces located in different areas of the site. To remain consistent with townhouse developments that have been recently rezoned, Council may wish to require that garages are to be used for parking of vehicles and not the storage of items in a manner that would prevent utilization of the garage space for parking purposes. This requirement should be secured through a Section 219 Covenant prior to Bylaw Adoption, in favour of the strata, so that they are responsible for enforcing the covenant rather than the City.

In a similar manner, Council may wish to secure a requirement to incorporate electric heat pumps for heating and cooling, to remain consistent with recent rezoning applications.

Each unit contains no less than 10m² of ground level private open space for the use of the residents of each townhome. Additionally, a total of three separate strata amenity spaces are proposed to be located throughout the site, as shown in Figure 3 below, and on the attached landscape plan. The first and the largest amenity space, where the majority of tree retention on site is to occur, features a seating area, and a natural playground. The second common amenity space features a picnic table and seating within the community orchard, while the third proposed common open space features some seating as well as six garden boxes for the use of future residents.

Figure 3: Common Amenity Areas



The applicant will also be required to install a 1.8m solid privacy fence along the property lines that do not abut the highway to screen the development from adjacent properties. For the front property line abutting Isabell Avenue, the fence may not exceed 1.2m and is required to provide less than complete visual screening. The applicant is proposing a 3' fence along Isabell Avenue for block one, as the majority of privacy will be provided by trees in that location.

The applicant has submitted a conceptual rendering of their proposal to better articulate the design of the proposed townhomes (Figure 4).

Figure 4: Rendering of the Proposed Townhouse Development (Typical Blocks 3-5)



The buildings have a West- Coast traditional style. The primary materials proposed are concrete fibre lap siding and board and batten, in earthy natural tones, with black metal accent roofs. The final design, including finishing materials, will be secured through the Form and Character Development Permit.

Table 3: Proposal Data

	Permitted by RS1 (Current Zoning)	Permitted by R2 (Current Zoning)	Permitted by RT1 (Proposed Zoning)	Proposed by Rezoning Application
<i>Permitted Use</i>	<ul style="list-style-type: none"> • Single-family dwelling • Duplex • Townhouse 	<ul style="list-style-type: none"> • Single-family dwelling • Duplex • Townhouse 	Townhouse	Townhouse
<i>Density (FAR and/or min. lot size)</i>	200m ²	400m ²	1.2 FAR	1.0 FAR
<i>Height</i>	11m	11m	3 storeys	3 storeys
<i>Site Coverage</i>	50-60%	50%	60%	40.11%
<i>Front Yard Setback</i>	3.0m (6.0m for garage or carport)	3.0m (5.5m for garage or carport)	3.0m (5.5m for garage or carport)	3.3m
<i>Interior Side Yard Setback</i>	1.5m	1.5m	1.20m	1.20m
<i>Exterior Side Yard Setback</i>	3.0m (6.0m for garage or carport)	3.0m (5.5m for garage or carport)	3.5m (5.5m for garage or carport)	N/A
<i>Rear Yard Setback</i>	3.0m	3.0m	5.5m	5.0m *
<i>Vehicle Parking Requirement</i>	1 per dwelling unit	1 per dwelling unit	2 per dwelling unit + 4 visitor stalls	2 per dwelling unit + 4 visitor stalls
<i>Bicycle Parking Requirement</i>	N/A	N/A	1 per dwelling unit	1 per dwelling unit

*** Requested variances**

VARIANCES

As indicated in the Table 3 above, the applicant wishes to place the townhouse units 0.5m closer to the rear lot line than permitted by the zone. If supported, the variance will result in a 5.0m rear yard for the rear three townhouse blocks. Council may wish to note that both R2 and RS1 zoning, currently applicable to the subject property, allow a 3.0m rear setback. If Council has no objections to this variance, they may wish to authorize the Director of Development Services to issue this variance within the Development Permit for Form and Character that is required for this site.

ARBORIST REPORT AND PROPOSED LANDSCAPING

As noted previously, the applicant has provided an assessment report prepared by a qualified arborist pertaining to the trees on the property, and it is attached to this report for reference. The arborist assessed all on-site trees as well as trees on the properties immediately abutting the subject site for trees that could be potentially impacted by the proposal. The report identifies that out of 27 trees present on and immediately around the site, 10 trees will need to be removed to accommodate this proposal, namely

six Douglas fir, one magnolia, one walnut, one plum, and one spruce. Additionally, two Douglas fir trees are assigned a “to be determined” status and will be reassessed for construction impacts associated with the strata road construction by a qualified professional later on in the project.

The applicant is proposing to retain a significant amount of established mature trees, which are primarily contained within the space labeled Greenspace A and will be incorporated into the usable open space for the strata. The area primarily contains tall Douglas fir. The entire cluster of trees to be retained is to have tree protection fencing for the duration of the construction period, in accordance with the arborist report.

Additionally, the applicant is proposing to retain a large diameter established Leyland cypress tree within the frontage of the development site. The design was adjusted to ensure that there is no building encroaching into the critical root zone of the tree to be protected. The patio within the critical root zone is to be a pedestal system or a similar style to allow for permeability and root growth, as recommended by the project arborist. Additionally, frontage improvements would have to be designed with the tree retention in mind, to ensure the highest chance of survival. Given the size of the tree and the fact that it is a property line tree co-owned with the City of Langford, Council may deem it appropriate to require that the developer registers a covenant in relation to preservation of the subject tree. Another property line tree (Blue Spruce) co-owned with the neighbouring property to the west is proposed to be retained via mitigation strategies outlined in the arborist report.

In addition to the tree retention efforts described above, the applicant is also proposing to plant 25 new trees, as per the landscape plan attached to this report. Among the proposed species are Autumn Blaze maple, Sunburst Honey Locust, Pacific Dogwood, Green Spire Linden, Garry oak and fruit trees. The majority of the new tree plantings are proposed in the rear of the lot, thereby aiding in providing more privacy, shade, and aesthetic appeal not only to the future residents of the development, but also the neighbouring established strata to the south. The exact species and the final location will be confirmed at the time of Development Permit, but the number of trees planted is expected to remain consistent with the number provided within the landscape concept plan.

MULTI-MODAL NETWORK

FRONTAGE IMPROVEMENTS

Full frontage improvements will be required in accordance with Bylaw No. 1000 and to the satisfaction of the Director of Engineering prior to the issuance of a building permit. Of note, the Engineering Department has indicated that the proposal will be required to provide a sidewalk, scallop parking, streetlights, and boulevard trees. The Engineering Department has also noted that all efforts should be made to accommodate the large frontage cypress into the frontage design at the detailed frontage drawing review phase of the project. The Director of Engineering has reviewed and approved the preliminary frontage drawing for this proposal. It is also important to note that the frontage improvements for this project will complete the last remaining sidewalk segment along the south side of Isabell Avenue, thereby contributing to the safe pedestrian infrastructure in the neighbourhood.

PEDESTRIAN, CYCLING AND MOTORIST NETWORK

As mentioned, the frontage improvements to be constructed as part of this development will complete the sidewalk network on the south side of Isabell Avenue, providing greater pedestrian connectivity for the residents of the proposed development as well as the greater neighbourhood.

Bike lanes exist on both sides of Happy Valley Road, approximately 50m from the subject site, providing bicycle access to the downtown core and beyond, via Sooke Road. The Galloping Goose Trail offers cycling connections throughout the Greater Victoria region.

There are several bus stops within walking distance of the development site, including two bus stops along Happy Valley Road near the intersection of Happy Valley and Walfred Road, which provide access to routes 48, 52, 55, and 64. Route 48 offers service to and from downtown Victoria during peak commuting hours. Route 52 runs throughout the day to provide service between the Colwood Exchange and Bear Mountain. Route 55 offers service to Langford Exchange, which in turn offers transfers to many other routes, including Blink Rapid Line 95, a key commuting service into downtown Victoria. Route 64 travels from Langford Exchange to Sooke Town Centre via Happy Valley Road. Multiple other bus routes are available along Sooke Road within walking distance of the site.

Figure 4: Ortho Map Showing Bike Lanes (purple lines), Sidewalks (pink lines), Trails (orange lines), and Bus Stops (blue icons):



INFRASTRUCTURE

SEWERS

A sewer main exists along Isabell Avenue and a connection from the units 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 AND FIRE PREVENTION PROTECTION

The applicant has submitted a preliminary fire truck turning template to demonstrate how the fire truck can maneuver through the site. The template was approved by the Fire Department and Engineering Department.

STORMWATER MANAGEMENT

The applicant will be required to provide a storm water management plan to the satisfaction of the Director of Engineering prior to the issuance of a building permit. As part of their application, the applicant has submitted a stormwater technical memo outlining how they plan to adequately manage storm water on-site. This memo has been reviewed and approved by the Director of Engineering.

ROAD CLOSURE AND DISPOSITION

As mentioned, the current proposal incorporates the closure and disposition of approximately 163.4m² of municipal road immediately to the west of the subject site. The preliminary road closure plan, prepared by a professional surveyor, is attached to the report for reference. This segment of road was originally acquired by the City via a subdivision that occurred to the west, with the intent of acquiring the remaining land required for a municipal road from the 5-lot subdivision that was originally proposed for the subject site. As the applicant is proposing a townhouse development accessible via a strata road, this road configuration is no longer required, and City has no practical use for the small segment of municipal road right of way abutting the site. If Council has no objections, they may wish to direct staff to prepare a Bylaw for road closure and disposition and proceed with a road closure and sale at market value to facilitate the development of this site in accordance with the proposal.

CONSTRUCTION IMPACT MITIGATION

Council may wish to require a Construction Parking and Deliveries Management Plan as well as an Erosion and Sediment Control Plan as a condition of rezoning and require that it will be provided to the satisfaction of the Director of Engineering prior to any land alteration. Additionally, as per Bylaw 1000, Section 2.5, a Mitigation Plan is required prior to land alteration to the satisfaction of the Director of Engineering (this is an interim measure for all developments, until the Good Neighbour Policy is adopted). A Mitigation Plan is required where there are reasonable grounds to anticipate any discharge of contaminants, pollutants, silts, airborne particles (dust) or materials (toxic or natural) to watercourses, municipal ditches and sewage systems, public or private lands, waters or the atmosphere. The construction impact mitigation measures should be secured within a covenant, prior to Bylaw Adoption.

NEIGHBOURHOOD CONSULTATION

The developer held a public information meeting on Saturday, March 23rd, from 1pm to 3 pm at the Langford Business Centre. On February 26th, notices were sent out to the neighbourhood (approximately 170m catchment radius) notifying them of the upcoming public engagement session. The developer has confirmed that 10 residents dropped in to discuss the proposal. Some of the concerns voiced by the residents included the retention of the existing trees, stormwater management, parking, as well as privacy.

COUNCIL POLICY

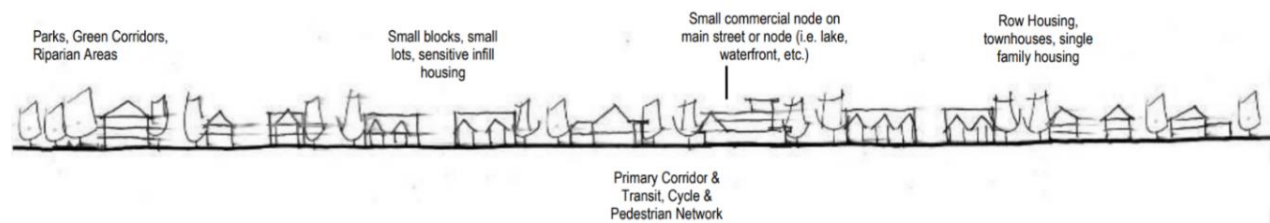
OFFICIAL COMMUNITY PLAN

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.*

A Concept for Neighbourhood Areas



Policies of the Neighbourhood OCP designation support clustered densification in established areas as well as the diversification of housing stock through the incorporation of housing such as coach housing, row housing, live/work units and townhouses. The proposal is consistent with this designation in that it

increases density in an existing developed area. Policy 3.9.3 in the OCP presents “16 units per acre” as a guide for residential density for infill development in areas designated as “Neighbourhood”. The proposed development represents a density of approximately 24 units per acre, which exceeds this recommendation. Despite this, the density modifier in the Neighbourhood Designation can be considered as an average of the designation. Additionally, given the location of the parcel close to the Sooke Road corridor, the composition of the neighbourhood, and the layout of the site, which incorporates tree retention and provision of usable open space, Council may wish to explore the higher density as proposed through this application.

SOUTH LANGFORD NEIGHBOURHOOD PLAN

The South Langford Neighbourhood Plan (SLNP) designates 967A Isabell Avenue as Urban Residential. This designation is described as the following:

***Urban Residential** – applies to areas where the availability of municipal services allow for a variety of residential development that is more intensive than suburban residential, and that may include single-family residential dwelling without secondary suites, townhousing, and attached housing. A maximum density of one unit per 200m² (2152.85 ft²) is applicable.*

Council may wish to note that the South Langford Neighbourhood Plan precedes the City’s Official Community Plan, and that the SLNP was retained within the Design Guideline as a reference. Council may also wish to note that zoning amendments are required to comply with the OCP density objectives but is not required to comply with the Design Guidelines, including SLNP. Based on the density noted above, the property would be suitable for a maximum of 16 units. This proposal exceeds the prescribed density by three dwelling units. Having said that, SLNP generally supports densification in the area through construction of townhomes.

DEVELOPMENT PERMIT AREAS

The subject property is located within Drainage Concern Development Permit Area. Prior to any alteration of land, the applicant will need to obtain a Development Permit which will outline any requirements stemming from a qualified professional’s review of the site.

Additionally, given the proposed land use, a Form and Character Development Permit will also be required and will ensure that the proposal complies with the standards prescribed by Zoning Bylaw No. 300 as well as the Multi-Family Design Guidelines.

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:

As noted in the Previous Applications section of this report, the site was previously rezoned in 2017 through Bylaw No. 1646. This bylaw included amenity contributions that form part of the City’s Zoning Bylaw and will still apply to this proposal, where applicable, unless Council chooses to remove it through this application. The contributions secured through Bylaw No. 1646 are as follows:

1. \$3,960 per new lot created towards the General Amenity Reserve Fund; and
2. \$660 per new lot created towards the Affordable Housing Reserve Fund.

With the new proposal, both items above would no longer be applicable as they pertain to single-family lots subdivided pursuant to the *Land Title Act*. Given this, Council may wish to remove the Bylaw No. 1646 amenity contributions from the Zoning Bylaw and replace it with contributions shown below in Table 4 which align with the City’s current amenity policy for townhouse developments. The amenity contributions would be secured through Bylaw No. 2192, as attached.

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 Tables 4 and 5 below, based the current floor plans and total density of 19 residential units.

Table 4 – Amenity Contributions per Council Policy

Amenity Item	Per unit contribution	Total (based on 19 units)
<i>General Amenity Reserve Fund</i>	\$3,660	\$69,540
<i>Affordable Housing Reserve Fund</i>	\$610	\$11,590
TOTAL POLICY CONTRIBUTIONS	\$4,270	\$81,130

Table 5 - Development Cost Charges

Development Cost Charge	Per Unit Contribution	Total (based on 19 units)
<i>Roads</i>	\$3,865	\$73,435
<i>Storm Drainage</i>	\$1,028	\$19,532
<i>Park Improvement & Acquisition</i>	\$2,078	\$39,482
<i>ISIF</i>	\$371.25	7,053.75
Subtotal (DCC's to Langford)	\$7,342.25	\$139,502.75
<i>CRD Water</i>	\$1,644	\$31,236
<i>School Site Acquisition</i>	\$800	\$15,200
TOTAL DCC's (estimated)	9,786.25	\$185,938.75

LEGAL IMPLICATIONS:

Should Council choose to proceed with consideration of this proposal, Bylaw No. 2192 will be scheduled for consideration of first, second, and third readings. As per recent changes to the *Local Government Act*, a Public Hearing is not permitted. Although Public Hearing requirement is waived for the proposal, the required notifications will be sent out to the owners and tenants in occupation of real property, any part of which is within 100m of the legal boundaries of the subject area, prior to consideration of first reading.

The original rezoning application from 2017 required a covenant to be registered that outlined various development requirements, some of which are not relevant to the new proposal. Council may wish to discharge the existing development covenant that was secured through Bylaw No. 1646, as all applicable requirements will be covered under the new covenant or are already required through various City bylaws. All of Council's conditions of approval that pertain to the current proposal would be registered in a Section 219 Covenant in priority of all other charges on title prior to consideration of Bylaw Adoption.

The amenity contributions specified in Table 4 above are incorporated into Bylaw No. 2192 and will be payable at the time of building permit along with the current Development Cost Charges specified in the various DCC Bylaws.

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. 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.

OR Option 2

THAT the Sustainable Development Advisory Committee recommend that Council take no action with respect to this application to rezone 967A Isabell Avenue under Bylaw No. 2192 until such time as the following items are addressed and reviewed by the Sustainable Development Advisory Committee:

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

SUBMITTED BY: Anastasiya Mysak, Planner I

- Concurrence:** Matthew Baldwin, RPP, MCIP, Director of Development Services
Concurrence: Leah Stohmann, RPP, MCIP, Director of Community Planning and Climate Change
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: Michael Dillabaugh, CPA, CA, Director of Finance
Concurrence: Marie Watmough, Director of Legislative & Protective Services
Concurrence: Braden Hutchins, Deputy Chief Administrative Officer
Concurrence: Darren Kiedyk, Chief Administrative Officer

Attachment(s):

- Proposed Site Plan (967A Isabell Ave)
- Proposed Landscaping Plan (967A Isabell Ave)
- Arborist Report (967A Isabell Ave)
- Road Closure Plan (967A Isabell Ave)
- Bylaw No. 2192

Appendix B – Location Map

**REZONING BYLAW AMENDMENT
(Z24-0002)
967A Isabell Ave**



Document Name: Z24-0002_Location_Map

Scale: N.T.S.

Last Revised: 2024-06-25