



# Staff Report to Sustainable Development Advisory Committee

**DATE:** Monday, April 14, 2025

**DEPARTMENT:** Planning

**APPLICATION NO.:** Z24-0017

**SUBJECT:** Bylaw No. 2216 – Application to Rezone 893 Klahanie Drive from the Rural Residential 2 (RR2) Zone to the Residential Townhouse 1 (RT1) Zone to allow for approximately 33 Townhomes

## EXECUTIVE SUMMARY:

Rachael Sansom of Grayland Consulting Ltd. has applied on behalf of Daniel Charboneau and Erin Brownlow to rezone 893 Klahanie Drive from the Rural Residential 2 (RR2) Zone to the Residential Townhouse 1 (RT1) Zone to allow for approximately 33 townhomes. The proposal includes 30% open space and requires no variances.

## BACKGROUND:

### Previous Applications

No previous applications have been made for this property.

**Table 1: Site Data**

<i>Applicant</i>	Rachael Sansom, Grayland Consulting Ltd.	
<i>Owner</i>	Daniel Charboneau and Erin Brownlow	
<i>Civic Address</i>	893 Klahanie Drive	
<i>Legal Description</i>	LOT 21, SECTION 69, METCHOSIN DISTRICT, PLAN 23855	
<i>Size of Property</i>	8,129 m <sup>2</sup>	
<i>DP Areas</i>	Potential Habitat and Biodiversity and High Fire Hazard Areas	
<i>Zoning</i>	Existing: RR2	Proposed: RT1
<i>OCP Designation</i>	Existing: Neighbourhood	Proposed: Neighbourhood

### Site and Surrounding Area

The subject property is located on the east side of Klahanie Drive, between Latoria Road and Gwendolynn Drive. The two-acre lot is predominantly treed, with the existing home located in the centre of the lot. The site slopes upward from Klahanie Drive, with an approximate 15-meter grade difference between the front and rear lot lines. A portion of the property is located within the Potential Habitat and Biodiversity Development Permit Area which will be discussed later within this report.

**Figure 1: Subject Property**



The surrounding neighbourhood is made up of a mix of large rural single-family lots and small single-family lots. Council may wish to note that townhouse sites have been approved directly west, south, and northeast of the subject property and are in various stages of development. Council may also wish to note that the Olympic View master planned community is located directly to the east and is zoned for a wide variety of housing types inclusive of single-family homes, duplexes, townhouses, apartments, and assisted living. A dedicated park in the Olympic View lands is anticipated to abut the eastern property line of the subject property. The Olympic View Zone also permits a wide variety of services and

commercial uses including, but not limited to, bakery, cultural facility, group daycares, business support services, restaurants, indoor and outdoor recreation, and retail stores. Gwendolynn Drive will be extended into the Olympic View lands as part of their development and will connect through to Latoria Rd and Veterans Memorial Parkway via their internal road network.

A new elementary school is under construction on the corner of Klahanie Drive and Latoria Road, approximately 300 m away from the 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**

	<b>Zoning</b>	<b>Use</b>
<i>North</i>	RR7 (Rural Residential 7)	Single Family Homes (under construction)
<i>East</i>	CD4 (Comprehensive Development – Olympic View)	Residential and Commercial uses permitted (site under construction). Park space to abut 893 Klahanie Drive.
<i>South</i>	R2 (One- and Two-Family Residential)	Single Family Homes and Townhomes (under construction)
<i>West</i>	RT1 (Residential Townhouse 1)	Townhomes (under construction)

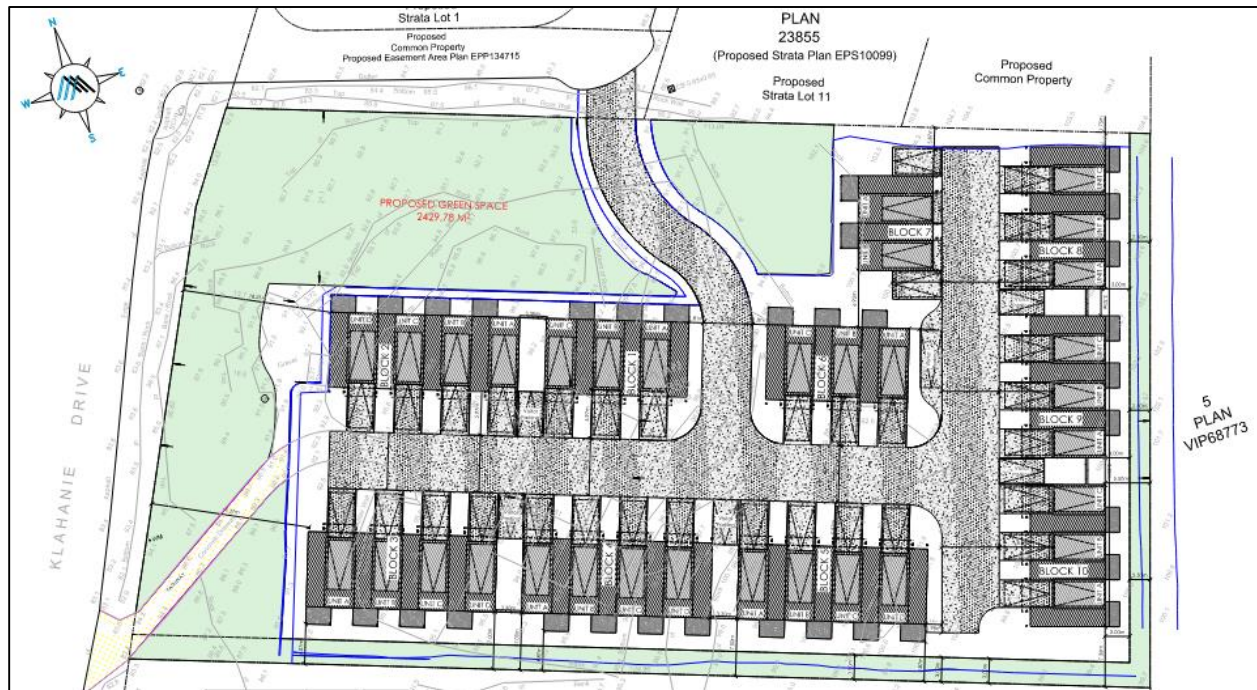
As noted above, all properties directly abutting 893 Klahanie Drive are currently under construction.

**COMMENTARY:**

Development Proposal

The applicant is seeking to rezone 893 Klahanie Drive from RR2 (Rural Residential 2) to RT1 (Residential Townhouse 1) to allow for the development of 33 townhouse units with approximately 30% of the lot be covenanted as non-disturbance area and retained as strata common property. Each unit contains two parking spaces, one inside the garage and another on the driveway. To remain consistent with other developments in Langford, Council may wish to require that the applicant register a Section 219 Covenant on title to require that the garage and carports are used for the parking of vehicles and not the storage of items preventing the parking of vehicles therein. The applicant is also proposing 5 visitor parking stalls which meets the bylaw requirement for 33 townhomes. The proposed site plan can be seen below as Figure 2.

**Figure 2: Proposed Site Plan**



As shown above, the vehicular access to the site is through the development located to the north at 887 Klahanie Drive. When 887 Klahanie Drive went through rezoning previously, Council secured that an easement be registered over their strata road as a condition of zoning to provide access to future development at 893 Klahanie Drive. This is also beneficial as the existing driveway for 893 Klahanie Drive is very steep. Council may wish to note that the development at 887 Klahanie Drive is still under construction and while the easement to provide legal access to 893 Klahanie Drive has been drafted, it will not be registered until the entire subdivision package is registered. The existing driveway shown above will become a pedestrian path through the covenanted open space for residents, as the area has already been disturbed. The 30% covenanted open space will be discussed later within this report.

To support their application, the applicant has provided a conceptual set of elevation drawings to show what the townhomes could look like (Figure 3). They demonstrate a contemporary style, and the materials proposed are predominantly concrete fibre siding and metal panel siding, both of which are very suitable for homes constructed in a high fire hazard area. The design of the townhomes will be secured through a future Form and Character Development Permit. Given the location of the 30% open space and the grade changes, this development will be minimally visible from the municipal road. To remain consistent with previous applications, Council may wish to require that this project be constructed with electric heat pumps.

**Figure 3: Conceptual elevations**



As shown below, the applicant does not require any variances to the RT1 zone for their proposal.

**Table 3: Proposal Data**

	Permitted by RR2 (Current Zoning)	Permitted by RT1 (Proposed Zoning)	Proposed by This Application
Height	10.5 m	3 storeys	3 storeys
Site Coverage	N/A	60%	24%
Front Yard Setback	7.5 m	3 m	18.21 m
Interior Side Yard Setback	3 m	1.2 m	7 m and 1.75 m
Rear Yard Setback	10 m	5.5 m	5.5 m
Vehicle Parking Requirement	2 per unit, plus 1 per suite	2 per unit + 5 visitors	2 per unit + 5 visitors

#### Landscaping

Each unit is designed with at least a 3-meter useable backyard space, which meets the design guideline suggestion, in addition to upper-storey balconies at the front of the units. Beyond the backyards, nearly every unit will back onto either covenanted protected open spaces or adjacent park. The applicant has also incorporated a common outdoor amenity space at the top of the existing driveway that will be turned into the pedestrian path. This area is proposed to have seating and a small play area. Landscaping details will be confirmed through the Form and Character Development Permit. The conceptual design has been attached to this report for reference.

#### TREES AND PROTECTED OPEN SPACE

As the existing property is predominately treed, and significant clearing will need to occur to support the development, the applicant has provided an arborist report inclusive of a tree protection plan. The report found that of the 308 trees assessed, the proposed site layout would allow for 66 trees be retained and protected while 242 trees would need to be removed. Council may wish to note that while the areas identified on the site plan as covenanted non-disturbance area are not necessarily the most tree-dense areas on the property, they were identified by the project biologist as being the highest value ecosystem on site as determined through an Environmental Assessment. The areas selected for protection were due to the presence of herbaceous rocky outcrops which have high habitat and biodiversity value, despite having sparse tree coverage.

The arborist worked with the client to develop setbacks from the property lines that will ensure offsite and shared ownership trees are not impacted by the development. The tree protection plan within the arborist report includes a recommendation to install tree protection fencing along the edge of the undisturbed setbacks and any protected open space, as well as the installation of visible signage. This protective fencing is to be installed prior to land alteration.

#### Multi-Modal Network

##### FRONTAGE IMPROVEMENTS

The Director of Engineering has noted that full frontage improvements to Bylaw No. 1000 standards will be required along Klahanie Drive, including but not limited to a paved 3-meter-wide multi-use path anchored behind split rail fencing with street lighting. No road dedication is required.

##### PEDESTRIAN, CYCLING AND MOTORIST NETWORK

As noted previously, vehicle access to this site will be through the strata road at 887 Klahanie Drive, secured by easement. The Director of Engineering has noted that no Traffic Impact Assessment is required, and the property falls outside of the 800 m highway buffer that requires Ministry of Transportation and Transit approval.

A bike lane going south along Klahanie Drive will be completed as part of the frontage improvements for the townhouse development under construction across the street at 898 Klahanie Drive. Going north, there will be no dedicated bike lane, but bikes are permitted on the multi-use trails which will provide access to the new school at Latoria and Klahanie. Pedestrians leaving this site can connect directly to the multi-use path through the pedestrian connection provided on site through the covenanted open space along the existing driveway that is to be decommissioned.

The site is within close walking distance of bus stops going in each direction on Latoria Road. These bus stops are served by routes 48 and 52. Route 48 offers service to and from downtown Victoria during peak commuting hours, and route 52 runs throughout the day to provide service between the Colwood Exchange and Bear Mountain, with a stop at the Langford Exchange which offers transfers to many other routes.

## 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

The proposed townhomes will be required to connect to the municipal sewer system. 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.

### POTENTIAL NUISANCES

As has been past practice in this neighbourhood, Council may wish to require the applicant to provide a Section 219 Covenant registered on title that provides future landowners with the understanding that a variety of agricultural uses and the South Vancouver Island Rangers gun range are located within close proximity of the site, that these pre-existing uses may result in general nuisances, and that future landowners understand and accept the potential disruption to their residential occupancy of the site.

## 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.

## Neighbourhood Consultation

The applicant sent mailouts to all neighbours within 100 m of their home notifying them of their application. At the time this report was written, the applicant had not received any requests for additional information or concerns. The applicant has also been in contact with the developers and realtors connected to the adjacent development sites.

## COUNCIL POLICY

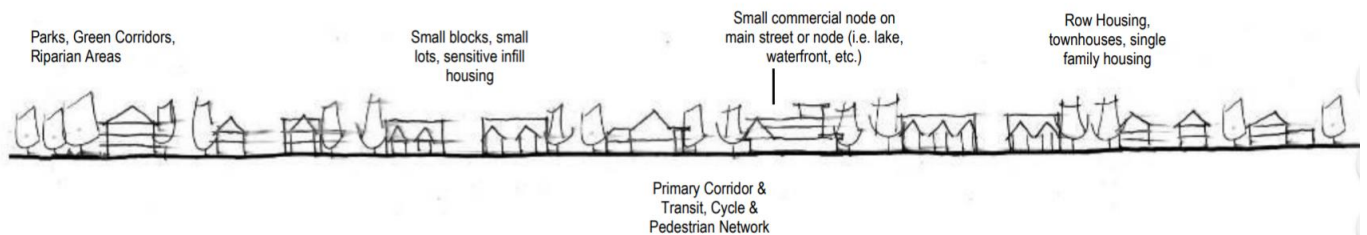
### OFFICIAL COMMUNITY PLAN

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



The Neighbourhood OCP designation has an overall density objective of 16 units per acre. The proposal put forward by the applicant equates to approximately 16.5 units per acre. Townhomes are considered a medium density housing form, and the project intends to designate 30% of the site as non-disturbance open space area. Given this, the application complies with the Neighbourhood OCP designation.

### SOUTH LANGFORD NEIGHBOURHOOD PLAN (SLNP)

The South Langford Neighbourhood Plan designates 893 Klahanie Drive as *Large Lot Residential*. This designation is described as the following:

***Large Lot Residential:*** *Applies to areas where existing development patterns allow for limited infill development opportunities. A maximum density of 1 lot per 1000 m<sup>2</sup> (4 units per acre) is applicable.*

The proposed 33 townhomes represent a density of 16.5 units per acre, which significantly exceeds the direction of the South Langford Neighbourhood Plan. Council may wish to note that the South Langford Neighbourhood Plan precedes the City's Official Community Plan. At the time, the SLNP was retained within the design guidelines as a reference. Council may wish to note that zoning is required to comply with the OCP but is not required to comply with the design guidelines (including the SLNP).

#### DEVELOPMENT PERMIT AREAS

The subject property is located entirely within the High Fire Hazard Area and partially within the Potential Habitat and Biodiversity Area. As such, the applicant has provided a Wildfire Hazard Assessment from a registered professional forester, and an Environmental Assessment from a registered professional biologist. Both reports and their mitigation measures will be secured through an Environmental Development Permit should this rezoning be approved. Council may wish to note that while only the rear third of the subject property is designated within the Potential Habitat and Biodiversity Area, the Environmental Assessment found that the highest value ecosystem on this site mostly fell outside of the Development Permit Area.

**Figure 4: Potential Habitat and Biodiversity Area (pink)**



#### 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, based the total density of 33 residential units.

**Table 4 – Amenity Contributions per Council Policy**

<b>Amenity Item</b>	<b>Per unit contribution</b>	<b>Total (33 units)</b>
<i>General Amenity Reserve Fund</i>	\$3,660 per residential unit	\$120,780
<i>Affordable Housing Reserve Fund</i>	\$610 per residential unit	\$20,130
<b>TOTAL POLICY CONTRIBUTIONS</b>		<b>\$140,910</b>

**Table 5 - Development Cost Charges**

<b>Development Cost Charge</b>	<b>Per Unit Contribution</b>	<b>Total (33 units)</b>
<i>Roads</i>	\$3,865	\$127,545
<i>Storm Drainage</i>	\$1,028	\$33,924
<i>Parks</i>	\$2,078	\$68,574
<i>ISIF</i>	\$386.25	\$12,746.25
<b>Subtotal (DCC’s to Langford)</b>		<b>\$242,789.25</b>
<i>CRD Water</i>	\$2,557	\$84,381
<i>School Site Acquisition</i>	\$900	\$29,700
<b>TOTAL DCC’s (estimated)</b>		<b>\$356,870.25</b>

## **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 will be incorporated into the bylaw and will be payable at the time of building permit 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. Consider bringing forward Bylaw No. 2216 for First, Second, and Third Reading in order to amend the zoning designation of the property located at 893 Klahanie Drive from RR2 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, **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, inclusive of a paved 3-meter-wide multi-use path behind anchored split rail fencing with street lighting; 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 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;
- iv. That the project shall be constructed with electric heat pumps, to the satisfaction of the Chief Building Inspector;
- v. 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, to the satisfaction of the Director of Development Services;
- vi. Acknowledge that the site is in proximity to agricultural uses the South Vancouver Island gun range, and that these uses may create general noise, odour, and other nuisances, and agree that the owner and all future owners assume all risk and annoyance of such nuisances;
- vii. That the lot provides at least 30% open space as strata common property, to be protected in a non-disturbance covenant, prior to the issuance of a building permit, to the satisfaction of the Director of Development Services; and
- viii. 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.

**OR Option 2**

That the Sustainable Development Advisory Committee recommend that Council take no action with respect to this application to rezone 893 Klahanie Drive under Bylaw 2216 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

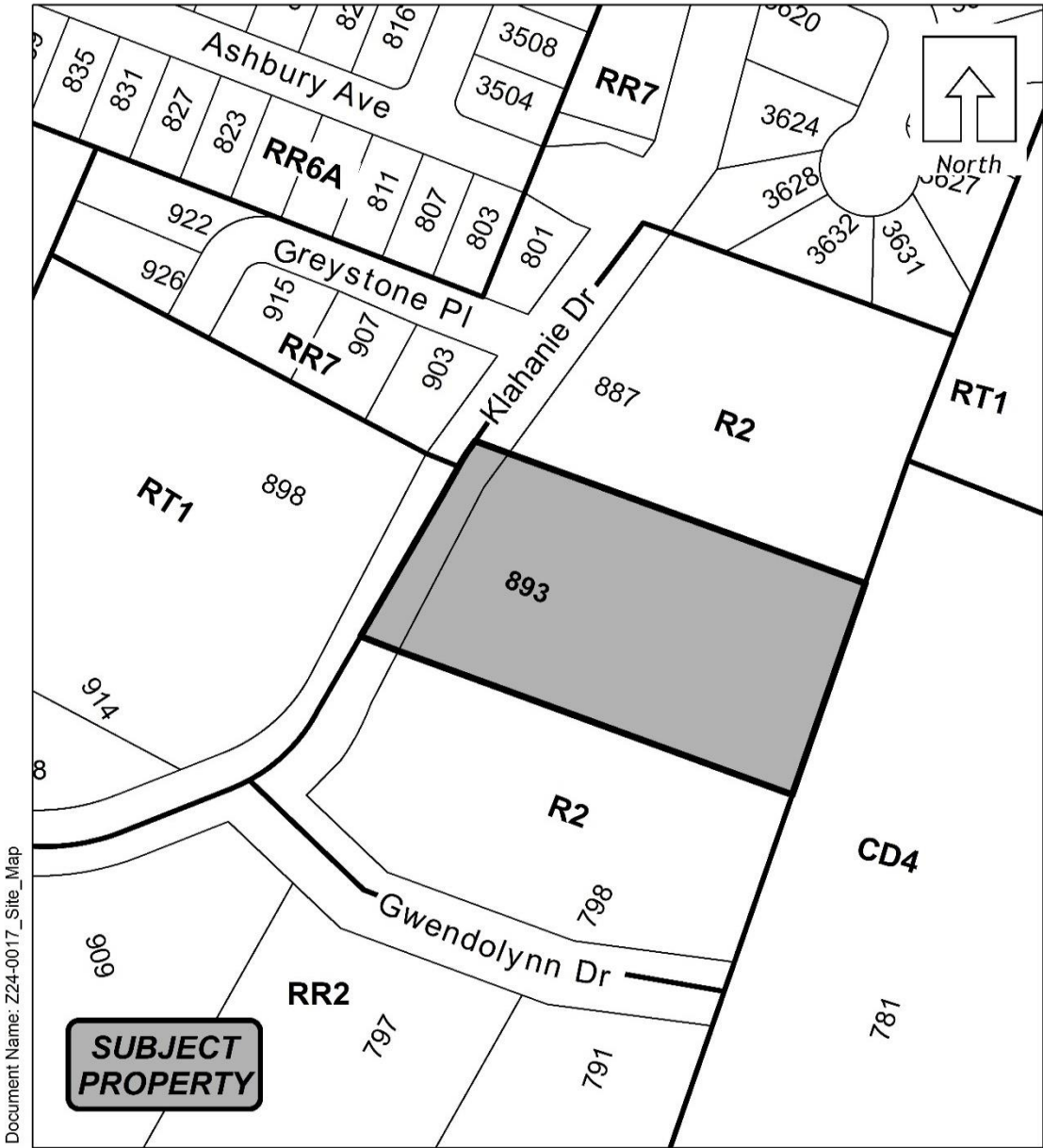
**Concurrence:** Donna Petrie, Senior Manager of Communications & Economic Development  
**Concurrence:** Yari Nielsen, Director of Parks, Recreation and Facilities  
**Concurrence:** Katelyn Balzer, P.Eng., Director of Engineering and Public Works  
**Concurrence:** Michael Dillabaugh, CPA, CA, Director of Finance  
**Concurrence:** Marie Watmough, Director of Legislative & Protective Services  
**Concurrence:** Darren Kiedyk, Chief Administrative Officer

Attachments:

Site Plan  
Landscape Plan  
Arborist Report  
Bylaw No.

Appendix A – Site Map

**REZONING BYLAW AMENDMENT  
( Z24-0017 )  
893 Klahanie Dr**

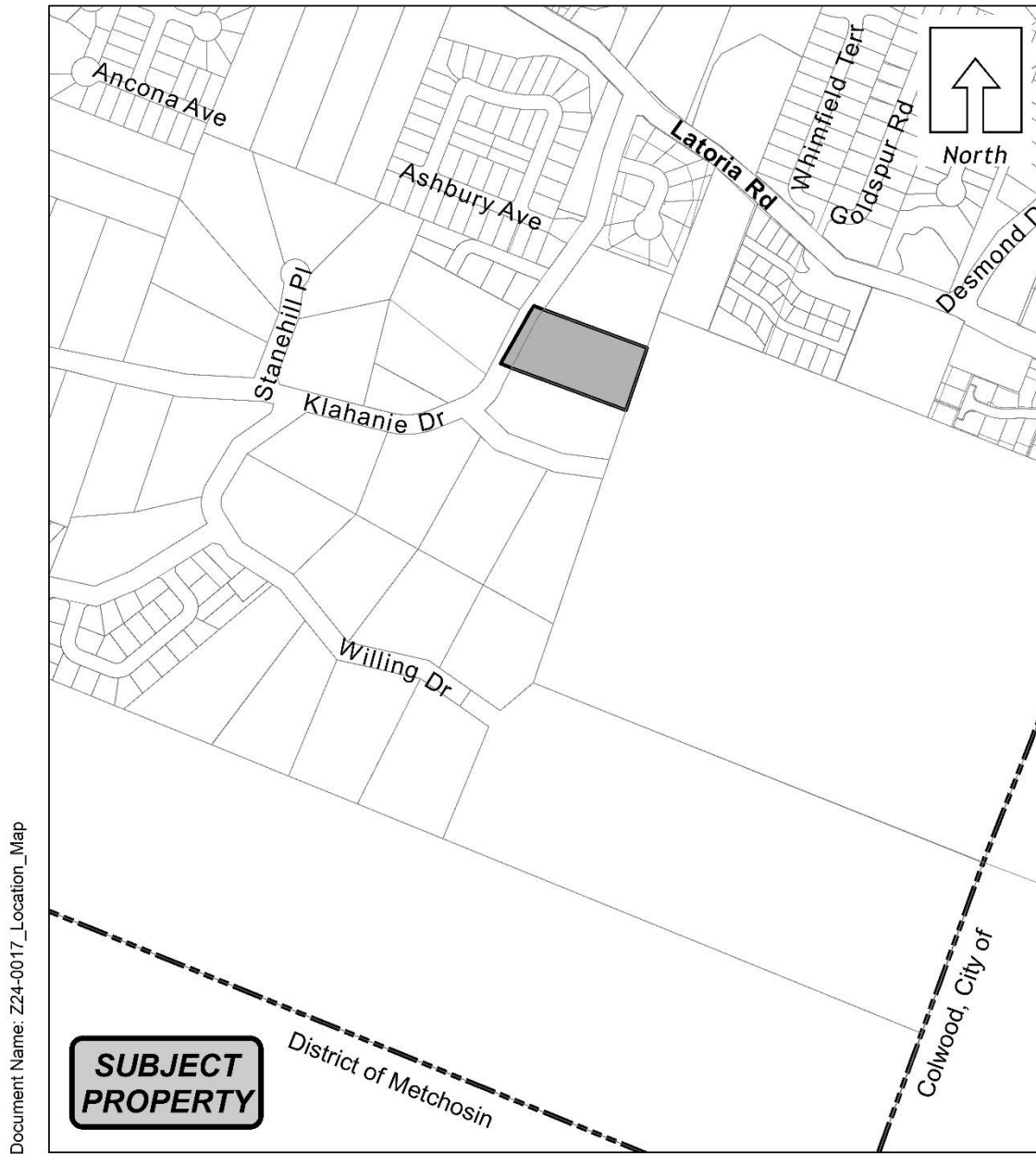


Scale: N.T.S.

Last Revised: 2024-11-21

**Appendix B – Location Map**

**REZONING BYLAW AMENDMENT  
( Z24-0017 )  
893 Klahanie Dr**



Scale: N.T.S.

Last Revised: 2024-11-21