

CITY OF LANGFORD
REGULAR MEETING OF COUNCIL
Monday, January 22nd, 2018 @ 5:30 p.m.
Council Chambers, 3rd Floor, 877 Goldstream Avenue

AGENDA

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1. <u>CALL TO ORDER</u>	
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2. Bylaw No. 1756 - Application to Rezone 721 Station Avenue from CS1 (Service Commercial) to C8A (Community Town Centre Pedestrian A) and to amend the text of the C8A Zone to allow for future redevelopment of the site	
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CITY OF LANGFORD
MINUTES OF THE REGULAR MEETING OF COUNCIL
Monday, January 8th, 2018 @ 5:30 p.m.
Council Chambers, 3rd Floor, 877 Goldstream Avenue

PRESENT

A/Mayor M. Sahlstrom, Councillors: D. Blackwell, L. Seaton, L. Szpak, W. Sifert and R. Wade.

ATTENDING

Chief Administrative Officer, D. Kiedyk, Director of Finance, M. Dillabaugh, Director of Engineering, M. Mahovlich, Director of Planning, M. Baldwin, Director of Corporate Services, B. Hutchins.

ABSENT

Mayor Young

1. CALL TO ORDER

The Chair called the meeting to order at 5:30 p.m.

2. APPROVAL OF THE AGENDA

MOVED BY: COUNCILLOR SEATON

SECONDED: COUNCILLOR WADE

That Council approve the agenda with the addition of 8 (b) Update on the Proposed CRD Regional Transportation Service, 8 (c) Appointment of Acting Acting Mayor and 10 (k) Road Closure Bylaw No. 1759 (Un Named Stub Road off of West Shore Parkway), 2018.

CARRIED.

3. PUBLIC HEARINGS

a) BYLAW NO. 1748

"Langford Zoning Bylaw, Amendment No. 514, (2844 Millstream Rd), 2017".

The Acting Mayor opened the Public Hearing for Bylaw No. 1748 at 5:32 p.m.

Acting Mayor Sahlstrom advised members of the audience that any person present who believes that his or her interest is affected by the proposed bylaws shall be given an opportunity to be heard on the matters contained in the proposed bylaw. Those who wish to speak concerning this proposed bylaw should give their name, address and views concerning the proposed bylaw. The Acting Mayor advised that after

everyone has expressed their views, he shall state three times “Is there anyone else who wishes to be heard”, and if no further views are forthcoming, the Public Hearing shall be declared closed.

The City Planner advised that Pascal Toupin- Selinger with Ironclad Developments has applied on behalf of Andre Louis Cottyn to amend the zoning of 2844 Millstream Rd from the CS1 (Service Commercial) Zone to the MU1A (Mixed Use Residential Commercial A) Zone.

This is being proposed in order to include the subject parcel in plans to construct an apartment building on 720, 724 and 732 Meaford Avenue.

As part of this application, a public hearing is required in accordance with the regulations of the Local Government Act.

In support of these/this application, the applicant has agreed to provide the following:

1. That the owner agrees to provide, as a bonus for increased density, the following contributions per unit, which may be reduced by 75% if rental tenure is secured for a term of no less than 10 years, prior to subdivision approval:
 - a) \$2,562 per unit towards the General Amenity Reserve Fund;
 - b) \$610 per unit towards the Affordable Housing Reserve Fund;

That the applicant provides, prior to Bylaw Adoption, a Section 219 covenant, registered in priority of all other charges on title, that agrees to the following:

- i. That the applicant provide a construction parking management plan, to the satisfaction of the Director of Engineering, prior to issuance of a building permit;
- ii. That the applicant provide a stormwater management plan, to the satisfaction of the Director of Engineering and in accordance with Bylaw No. 1000, prior to subdivision approval or building permit issuance, whichever is first;
- iii. That the applicant acknowledges and agrees to design the proposed development, in accordance to the updated parking regulations as determined by Council, to the discretion of the Director of Planning;
- iv. That the applicant agrees to implement the approved storm water management plan and to complete any required improvements and/or upgrades to on site and off site infrastructure necessary to facilitate proper drainage on the subject property at the applicant's expense;
- v. That the applicant will construct full frontage improvements, including, but not limited to, the installation of a sidewalk to the corner of Meaford and Millstream Road to align with the sidewalk infrastructure required along Meaford Road, in accordance with Bylaw No.1000 and to the satisfaction of the Director of Engineering, prior to subdivision approval or building permit issuance, whichever is first;
- vi. That any necessary above or underground infrastructure or servicing upgrades, extensions or other required servicing requirements are to be fulfilled at the applicant's expense; and
- vii. That the applicant acknowledges the proximity to industrial business operators may be a nuisance to the future residents of the development;

This proposal is consistent with the Official Community Plan City Centre designation.

Notifications and advertisements have been placed as required by Council policy.

The Acting Mayor called a first time for presentations.

None presented.

The Acting Mayor called a second time for presentations.

None presented.

The Acting Mayor called a third and final time for presentation, there being none, the Acting Mayor officially declared the Public Hearing for Bylaw No. 1748 closed at 5:34 p.m.

b) BYLAW NO. 1750

"Langford Zoning Bylaw, Amendment No. 516, (798 Goldstream Ave; 2747, 2753, 2761, 2769 & 2779 Peatt Rd; 2734, 2738, 2742, 2746, 2750 & 2756 Claude Rd), 2017".

The Acting Mayor opened the Public Hearing for Bylaw No. 1750 at 5:34 p.m.

Acting Mayor Sahlstrom advised members of the audience that any person present who believes that his or her interest is affected by the proposed bylaws shall be given an opportunity to be heard on the matters contained in the proposed bylaw. Those who wish to speak concerning this proposed bylaw should give their name, address and views concerning the proposed bylaw. The Acting Mayor advised that after everyone has expressed their views, he shall state three times "Is there anyone else who wishes to be heard", and if no further views are forthcoming, the Public Hearing shall be declared closed.

The City Planner advised that Niall Paltiel of Island View Strategies has applied on behalf of Bishop of Victoria Corporation (Our Lady of Rosary Catholic Church) to amend the zoning of 2747, 2753, 2761, 2769, and 2779 Peatt Road; 2734, 2738, 2742, 2746, 2750, and 2756 Claude Road; and 798 Goldstream Avenue from the P2 (Community Institutional), R1 (One-Family Residential), R2 (One- and Two-Family Residential) Zone to a new C9 (Community Town Centre Pedestrian 9) Zone.

This is being proposed in order to allow for for a future mixed-used development on these properties along with a new church and parish location.

As part of this application, a public hearing is required in accordance with the regulations of the Local Government Act.

In support of this application, the applicant has agreed to provide the following:

1.

- a) That the applicant provides, as a bonus for increased density, the following contributions per residential unit, prior to issuance of a building permit:
 - i. \$1,525 towards the General Amenity Reserve Fund;
 - ii. \$610 towards the Affordable Housing Fund.

Unless Council amends the Amenity Contribution policy prior to second reading of Bylaw No. 1750 in which case the applicant may request that Council amend Bylaw No. 1750 to include the contribution amounts.

- b) That the applicant provides, as a bonus for increased density, the following contributions per square metre of commercial space, prior to issuance of a building permit:
 - i. \$10.75 towards the General Amenity Reserve Fund.
- c) That the applicant provides, prior to Bylaw Adoption, the following:
 - i. A technical memo from an engineer that verifies storm water can be adequately managed on-site for the proposed developments, to the satisfaction of the Director of Engineering.
 - ii. The registration of a lot consolidation plan that includes road dedication along Peatt Road, Goldstream Avenue, and Claude Road to the satisfaction of the Manager of Land Development and Director of Engineering;
 - iii. The registration a blanket statutory right of way on the proposed church/assisted living site for a pedestrian connection between Peatt Road and Claude Road; and
 - iv. The registration of a blanket statutory right of way on the southwest site for the future installation of a pedestrian friendly plaza in the southwest corner, which would include art work.
- d) That the applicant provides, prior to Bylaw Adoption, a Section 219 covenant, registered in priority of all other charges on title, that agrees to the following:
 - i. That a 2.0m wide pedestrian connection between Peatt Road and Claude Road be constructed with red brick paves and lighting prior to issuance of a building permit, to the satisfaction of the Parks Manager; and
 - ii. That the southwest corner of the proposed commercial/residential site have a 300m² pedestrian plaza with art work installed prior to issuance of a building permit, to the satisfaction of the Director of Planning;
 - iii. That a Traffic Impact Assessment (TIA) be completed to the satisfaction of the Director of Engineering for the full build-out of any block that commercial and/or residential uses are proposed, prior to the issuance of building permit, and that the recommendations of the TIA be implemented;
 - iv. That all frontage improvements to Bylaw 1000 standards are provided to the satisfaction of the Director of Engineering prior to issuance of a building permit; and
 - v. That a storm water management plan be provided prior to issuance of a building permit and implemented, as per Bylaw 1000, all to the satisfaction of the Director of Engineering;
- 2. Direct staff to enter into a shared parking agreement with owner(s) of the future church property that allows them exclusive privilege to the Danbrook parking lot on Sunday mornings and religious holidays in exchange for parking privileges of their private parking lot for the general public during daytime hours Monday to Friday, excluding religious holidays.

This proposal is consistent with the Official Community Plan City Centre designation.

Notifications and advertisements have been placed as required by Council policy.

The Acting Mayor called a first time for presentations.

Resident on Green Mansions Place, Langford (Owns property that is adjacent) – Addressed Council with concerns that the proposal is open ended. Would like to see more information on old and new housing (site lines, traffic flow). The resident equated the proposal to signing a blank cheque. Also concerned about the limit potential for solar panels on his roof, about removal of existing housing and where the current folks will live and about the vastness of the proposal.

The Acting Mayor called a second time for presentations.

None presented.

The Acting Mayor called a third time for presentations.

Same resident raised concerns about existing renters and where they would live.

Jim Hartshorne (developer) – provided input, the Catholic Chrutch subsidizes rentals.

Resident asked about public parking.

Matthew Baldwin (City Planner) – provided clarification to reciprocal agreement, as did Jim Hartshorne.

Another resident – raised concerns about notification and timing.

Niall Paltiel (developer) – Provided clarification and will give as much notice as possible. He also provided clarification on behalf of the applicant.

There being no more presentations, the Acting Mayor officially declared the Public Hearing for Bylaw No. 1750 closed at 5:57 p.m.

4. ADOPTION OF MINUTES

a) Minutes of the Meeting of Council – December 4th, 2017

MOVED BY: COUNCILLOR WADE
SECONDED: COUNCILLOR SIFERT

That Council approve the minutes of the Regular Meeting of Council held on December 4th, 2017.

CARRIED.

5. OTHER BOARD AND COMMISSION MINUTES

a) West Shore Parks and Recreation – November 16th, 2017

MOVED BY: COUNCILLOR SEATON

SECONDED: COUNCILLOR SIFERT

That Council receive the minutes of the West Shore Parks and Recreation Meeting held on November 16th, 2017.

CARRIED.

6. PUBLIC PARTICIPATION

A resident raised concerns about discharge of covenant on 790 McCallum and noted that Matthew Baldwin said it will (the petition) be brought forward to the public hearing.

A resident next to the Legion spoke against the legion liquor licence application and raised concerns about music, garbage and late nights.

A second resident also raised concerns about the legion application, specifically garbage and smoking. They are concerned that the new legion patio would limit personal enjoyment.

A third resident echoed the concern about the legion patio increase and liquor licence. 6-8 people on the patio is too much now.

A fourth family raised concerns about the patio, parking, drinking and driving, in relation to the Legion.

The second resident asked for a 6:00 pm shut down of the patio at the Legion.

7. COMMITTEE RESOLUTIONS

a) Planning, Zoning and Affordable Housing Committee – December 11th, 2017

- 1. Application to amend the Official Community Plan designation for 790 McCallum Road from Neighbourhood to Mixed Use Employment Centre and to rezone the land from CH1 (Cluster Housing Residential) to a New MUE2 (Mixed-Use Employment 2) Zone to Permit a Mixed Use Development.**

MOVED BY: COUNCILLOR BLACKWELL

SECONDED: COUNCILLOR WADE

That Council:

1. Give 1st reading to the attached Bylaw No. 1461 to amend the Official Community Plan designation of the property located at 790 McCallum Road from Neighbourhood to Mixed-Use Employment Centre.
2. Give 1st reading to the Bylaw No. 1749 to amend the zoning designation of the property located at 790 McCallum from CH1 (Cluster Housing Residential) to a new MUE2 (Mixed-Use Employment 2) Zone with the addition of a three-storey height limit on townhouses and subject to the following terms and conditions:

- e) That the applicant provides, **as a bonus for increased density**, the following contribution prior to issuance of a building permit or subdivision approval:
- iii. The dedication of 16,200m² of land in a block form and location to the satisfaction of the Director of Planning; and
 - iv. \$1,000,000 towards the General Amenity Reserve Fund for this site;
OR
 - v. An amenity building on this site to the satisfaction of the Director of Planning, with a certified construction value of \$1,000,000; and
 - vi. \$500,000 towards the General Amenity Reserve Fund for this site;
OR
 - vii. Arts and Cultural structure(s) on this site to the satisfaction of the Director of Planning with a certified construction value of \$500,000.
- f) That the applicant provides, **prior to Bylaw Adoption**, the following:
- i. A technical memo from an engineer that verifies storm water can be adequately managed on-site for the proposed development, to the satisfaction of the Director of Engineering.
 - ii. The registration a 10m wide statutory right of way along the western and southern edges of the property for trail purposes; and
 - iii. Road dedication at Treanor Avenue for the future construction of a roundabout to the satisfaction of the Director of Engineering.
- g) That the applicant provides, **prior to Bylaw Adoption**, a Section 219 covenant, registered in priority of all other charges on title, that agrees to the following:
- i. That a four-way signalized intersection be installed on McCallum Road at the main entry point to Costco (easterly) prior to issuance of a building permit or subdivision approval;
 - ii. That a roundabout be constructed along the frontage of this property on Treanor Road prior to issuance of a building permit or subdivision approval, to the satisfaction of the Director of Engineering.
 - iii. That a landscaped and irrigated trail be constructed along the southern and western edges within the 10m wide statutory right of way to bylaw 1000 standards prior to issuance of a building permit or subdivision approval, and to the satisfaction of the Manager of Parks;
 - iv. That all road dedication including widening of McCallum Road and any new internal municipal road is provided prior to issuance of a building permit or subdivision approval to the satisfaction of the Director of Engineering and Approving Officer;
 - v. That a Traffic Impact Assessment (TIA) be completed prior to issuance of a building permit or subdivision approval to the satisfaction of the Director of Engineering for the proposed development, and that the recommendations of the TIA be implemented;
 - vi. That all frontage improvements to Bylaw 1000 standards are provided prior to issuance of a building permit or subdivision approval, to the satisfaction of the Director of Engineering; and

- vii. That a storm water management plan be provided prior to issuance of a building permit or subdivision approval and implemented, as per Bylaw 1000, all to the satisfaction of the Director of Engineering.
- 3. Direct staff to release the existing 30m wide restrictive covenant in exchange for of a 10m wide statutory right of way for a buffer and trail.

CARRIED.

2. Bylaw No. 1753 Bylaw to amend the text within the CD1 (Goldstream Meadows Comprehensive Development) Zone.

MOVED BY: COUNCILLOR BLACKWELL
SECONDED: COUNCILLOR WADE

That Council:

- 1. Give First Reading to Bylaw No. 1753 as drafted, in order to amend the text within the CD1 Zone of the Zoning Bylaw No.300 to eliminate building setbacks within Area 2, as well as amend FAR regulations and amenity and affordable housing contributions within Areas 2 and 3, subject to the following terms and conditions:
 - a) That the developer provides, **prior to Public Hearing**, the following:
 - i. A technical stormwater management memo to the satisfaction of the Director of Engineering;
 - ii. A traffic assessment memo addressing the following items:
 - i. Left turn lane restrictions on Landing Lane to West Shore Parkway; and
 - ii. Whether a roundabout or a traffic signal light on West Shore Parkway at Landing Lane is necessary.
 - b) That, **prior to Bylaw Adoption**, the developer submits a traffic impact assessment that determines the need for a left hand turn lane into the property and a restricted left hand turn out of the property at 1256 Landing Lane, as well as identifies the anticipated traffic generation resulting from the proposed project.
 - c) That the developer provides, **prior to Bylaw Adoption**, a section 219 covenant, registered in priority of all other charges on title, that agrees to the following:
 - i. That the developer provide a construction parking management plan, to the satisfaction of the Director of Engineering, prior to issuance of a building permit;
 - ii. That the developer provide a stormwater management plan, to the satisfaction of the Director of Engineering and in accordance with Bylaw No. 1000, prior to subdivision approval or building permit issuance, whichever is first;
 - iii. That the developer agrees to implement the approved storm water management plan and to complete any required improvements and/or

- upgrades to on site and off site infrastructure necessary to facilitate proper drainage on the subject property at the developer's expense;
- iv. That the developer will construct full frontage improvements, including, but not limited to, the installation of a sidewalk on the south side of Landing Lane, boulevard landscaping, and the installation of light standards in accordance with Bylaw No.1000 and to the satisfaction of the Director of Engineering. These improvements shall be installed prior to subdivision approval or building permit issuance, whichever is first;
 - v. That the developer agrees to implement the recommendations and findings of the traffic memo, and assumes responsibility for any costs incurred from doing so. Necessary road works shall be constructed prior to subdivision approval, or building permit issuance, whichever is first;
 - vi. That the developer agrees to register a road dedication, if necessary, in order to install a roundabout on West Shore Parkway and Landing Lane;
 - vii. That the developer acknowledges that the proximity to industrial business operators may be a nuisance to the future residents of developments within Areas 2 and 3;
 - viii. That any necessary above or underground infrastructure or servicing upgrades, extensions or other required servicing requirements are to be fulfilled to the standards of Bylaw No. 1000 and the Director of Engineering, and that costs incurred will be the responsibility of the developer.

CARRIED.

3. Application for Development Variance Permit to increase the allowable floor area of an accessory building from the required 30 m² to 224.19 m², and to vary the height of the accessory building from the allowable 4.5 m to 5.89 m at the property located at 1345 Ravens View Drive.

MOVED BY: COUNCILLOR BLACKWELL
SECONDED: COUNCILLOR WADE

That Council:

- 1. Direct staff to proceed with consideration of the following variances for 1345 Ravens View Drive:
 - a) That Section 3.05.02(3)(a)(i) of Zoning Bylaw No. 300 be varied from the required 4.5 m (15ft) or 60% of the height of the residential dwelling to 5.89 m;
 - b) That Section 3.05.02 (4) of Zoning Bylaw No. 300 be varied from the required 30 m² to 224.19 m²;

Subject to the following terms and conditions:

- i. That the site is developed in accordance with the plan attached to this report as Appendix A.

CARRIED.

4. Application for Development Variance Permit to allow a reduction in the interior side lot line setback from the required 6.0 m to 1.0 m for a portable for the School District No. 62 office located at 3143 Jacklin Road.

MOVED BY: COUNCILLOR BLACKWELL

SECONDED: COUNCILLOR WADE

That Council:

1. Direct staff to proceed with consideration of the following variances for the proposed construction of an office portable at 3143 Jacklin Road:
 - a) That Section 6.81.05 (2) of Zoning Bylaw No. 300 be varied to reduce the minimum interior yard setback from the required 6.0 m (19.7 ft) to 1.0 (3.3 ft);

Subject to the following terms and conditions:

- i) That the site is developed in accordance with the plan attached to this report as Appendix A;
- ii) That the applicant accepts responsibility for any damages to the trail as a result of the proposed development.

CARRIED.

5. Application for a Development Variance Permit to vary the Residential Small Lot Zone 4 (RS4) regulations to allow a panhandle lot to be created by subdivision at proposed Lot B-1, 3690 Happy Valley Road.

MOVED BY: COUNCILLOR BLACKWELL

SECONDED: COUNCILLOR WADE

That Council:

1. Waive the 10% minimum frontage requirement of section 512 of the Local Government Act for the panhandle lot; and
2. Direct staff to proceed with consideration of the following variances for proposed Lot B-1, 3690 Happy Valley Road:
 - a) That Section 6.27A.02(5) of Zoning Bylaw No. 300 be varied to allow for a panhandle lot to be created by subdivision in the RS4 zone.

Subject to the following terms and conditions:

- i) That the site is developed in accordance with the plan attached to this report as Appendix A;
- ii) That the applicant ensure the minimum panhandle width is 6.0 m prior to Subdivision Approval.

CARRIED.

Councillor Seaton left the room at 6:15 p.m. due to a conflict of interest.

8. REPORTS

- a) Royal Canadian Legion Branch No. 91 application for additional capacity for their Liquor Primary License at 761 Station Avenue**
- **Staff Report (Planning)**

MOVED BY: COUNCILLOR BLACKWELL

SECONDED: COUNCILLOR SZPAK

That Council inform the Liquor Control and Licensing Branch that Council does not recommend that the outdoor patio extension be approved.

CARRIED.

Councillor Seaton re-entered the room at 6:13 p.m.

- b) Update on the Proposed CRD Regional Transportation Service**
- **Verbal Update (Administration)**

MOVED BY: COUNCILLOR SEATON

SECONDED: COUNCILLOR BLACKWELL

That the City of Langford, in order to ensure value for money, appropriate scope of work, no duplication between the various levels of government, and no shifting of the capital costs of transportation infrastructure onto the Capital Regional District, requests that the Capital Regional District provide all municipalities and electoral areas within the regional district with detailed information on the funding amount required by the Regional Transportation Service Establishment Bylaw for the next five years and what it will be used for;

AND

That the City of Langford does not support a Capital Regional District Regional Transportation Service that does not allow each municipality and electoral area within the regional district time to review the detailed information on the required funding amounts and objectives, and to opt out of the Regional Transportation Service if it so wishes;

AND

That, in this instance, the City of Langford does not support an Alternate Approval Process to obtain approval from municipal electors for the Regional Transportation Service, but believes consent should be provided in accordance with s. 346 of the *Local Government Act*, whereby consent is provided by each municipal Council (consenting on behalf of municipal electors) and by Alternative Approval Process in each Electoral Area.

AND

That the City of Langford reaffirms its support for a no-cost advisory committee made of local government representatives to provide recommendations and priorities to BC Transit and the Ministry of Transportation and Infrastructure.

CARRIED.

c) Appointment of Acting Mayor
- Staff Report (Administration)

MOVED BY: COUNCILLOR BLACKWELL
SECONDED: COUNCILLOR WADE

That Council appoints Cllr. Seaton, Cllr. Szpak or Cllr. Blackwell as additional signatories until Jan. 21st.

CARRIED.

9. CORRESPONDENCE

a) Peter Willing
Re: Langford's Annual "Music in the Park" 2018

MOVED BY: COUNCILLOR SZPAK
SECONDED: COUNCILLOR WADE

That Council approve \$10,000 to retain Mr. Peter Willing to provide Music in the Park at Veterans Memorial Park every Sunday beginning July 8th 2018 and ending on August 26th, 2018 from 2:00 pm to 4:00 pm as outlined in the proposal dated December 14th, 2017.

CARRIED.

10. BYLAWS

a) BYLAW NO. 1461
"Langford Official Community Plan Bylaw, Amendment No. 14, (790 McCallum Road), 2018".
(FIRST READING)

MOVED BY: COUNCILLOR WADE
SECONDED: COUNCILLOR SIFERT

That Council give Bylaw No. 1461 First Reading.

CARRIED.

- b) BYLAW NO. 1736**
"Langford Zoning Bylaw, Amendment No. 468, (2874 Leigh Rd), 2017".
(ADOPTION)

MOVED BY: COUNCILLOR BLACKWELL
SECONDED: COUNCILLOR WADE

That Council adopt Bylaw No. 1736.

CARRIED.

- c) BYLAW NO. 1737**
"Langford Official Community Plan Bylaw, Amendment No. 26, (2869 Sooke Rd –Road Closure Portion), 2017".
(FIRST READING)

MOVED BY: COUNCILLOR BLACKWELL
SECONDED: COUNCILLOR WADE

That Council give Bylaw No. 1737 First Reading.

CARRIED.

- d) BYLAW NO. 1741**
"Langford Zoning Bylaw, Amendment No. 508, (4342 West Shore Pkwy), 2017".
(ADOPTION)

MOVED BY: COUNCILLOR BLACKWELL
SECONDED: COUNCILLOR WADE

That Council adopt Bylaw No. 1741.

CARRIED.

- e) BYLAW NO. 1742**
"Langford Zoning Bylaw, Amendment No. 509, (2869 Sooke Rd Portion), 2017".
(FIRST READING)

MOVED BY: COUNCILLOR WADE
SECONDED: COUNCILLOR SIFERT

That Council give Bylaw No. 1742 First Reading.

CARRIED.

- f) BYLAW NO. 1746**
"Langford Zoning Bylaw, Amendment No. 512, (Omnibus No. 49 – Various Amendments), 2017".
(ADOPTION)

MOVED BY: COUNCILLOR WADE

SECONDED: COUNCILLOR SIFERT

That Council adopt Bylaw No. 1746.

CARRIED.

- g) BYLAW NO. 1748**
"Langford Zoning Bylaw, Amendment No. 514, (2844 Millstream Rd), 2017".
(SECOND AND THIRD READINGS)

MOVED BY: COUNCILLOR WADE
SECONDED: COUNCILLOR SIFERT

That Council give Bylaw No. 1748 Second and Third Readings.

CARRIED.

- h) BYLAW NO. 1749**
"Langford Zoning Bylaw, Amendment No. 515, (790 McCallum Road), 2017".
(FIRST READING)

MOVED BY: COUNCILLOR WADE
SECONDED: COUNCILLOR SIFERT

That Council give Bylaw No. 1749 First Reading.

CARRIED.

- i) BYLAW NO. 1750**
"Langford Zoning Bylaw, Amendment No. 516, (798 Goldstream Ave; 2747, 2753, 2761, 2769 & 2779 Peatt Rd; 2734, 2738, 2742, 2746, 2750 & 2756 Claude Rd), 2017".
(SECOND AND THIRD READINGS)

MOVED BY: COUNCILLOR WADE
SECONDED: COUNCILLOR SIFERT

That Council give Bylaw No. 1750 Second and Third Readings.

CARRIED.

- j) BYLAW NO. 1753**
"Langford Zoning Bylaw, Amendment No. 518, (1256 Landing Lane), 2017".
(FIRST READING)

MOVED BY: COUNCILLOR WADE
SECONDED: COUNCILLOR BLACKWELL

That Council give Bylaw No. 1753 First Reading.

CARRIED.

- k) BYLAW NO. 1759**

**"Road Closure Bylaw No. \1759 (Un Named Stub Road off of West Shore Parkway), 2018".
(FIRST, SECOND AND THIRD READINGS)**

MOVED BY: COUNCILLOR WADE
SECONDED: COUNCILLOR SZPAK

That Council give Bylaw No. 1759 First, Second and Third Readings.

CARRIED.

11. IN CAMERA RESOLUTION

MOVED BY: COUNCILLOR SZPAK
SECONDED: COUNCILLOR BLACKWELL

- a) That it is the opinion of Council that the public interest requires that persons other than members of Council and Officers be excluded from the meeting to consider confidential information regarding legal advice and land negotiations under Section 90 (1) (i) and (k) of the Community Charter.
- b) That Council continues the meeting in closed session.

CARRIED.

12. ADJOURNMENT

The Chair adjourned the meeting at 6:25 pm.

PRESIDING COUNCIL MEMBER:

CERTIFIED CORRECT
Corporate Officer

**CITY OF LANGFORD
DEVELOPMENT VARIANCE PERMIT**

DVP17-0026 – 1345 Ravensview Dr

That Development Variance Permit No. DVP17-0026 be issued by the Council for the City of Langford to Korby Grist to increase in the maximum allowable floor area for an accessory building from the required 30 m² to 224.19 m², and to vary the allowable height of the accessory building from the required 5.65 m to 5.89 m at 1345 Ravens View Drive subject to the following terms and conditions:

1. Appendix

That the site is developed in accordance with the plan attached to the Planning, Zoning and Affordable Housing report dated 11 December 2017 as Appendix A.

2. Variances

The following regulations of Zoning Bylaw No. 300 are varied under Section 498 of the *Local Government Act*:

- a) That Section 3.05.02(3)(a)(i) of Zoning Bylaw No. 300 be varied from the required 4.5 m (15ft) or 60% of the height of the residential dwelling to 5.89 m;
- b) That Section 3.05.02 (4) of Zoning Bylaw No. 300 be varied from the required 30 m² to 224.19 m².



Notice of Intention to Consider Issuance of a Development Variance Permit

Council for the City of Langford hereby gives Notice of Intention to consider issuance of a Development Variance Permit at its Regular Meeting scheduled for 5:30 pm, Monday, 22 January 2018, in the City Hall Council Chamber on the Third Floor of 877 Goldstream Avenue.

File	Development Variance Permit No. DVP17-0026
Applicant	Korby Grist
Location	1345 Ravensview Dr
Proposal	1. That Section 3.05.02(3)(a)(i) of Zoning Bylaw No. 300 be varied from the required 4.5 m (15ft) or 60% of the height of the residential dwelling to 5.89 m; 2. That Section 3.05.02 (4) of Zoning Bylaw No. 300 be varied from the required 30 m² to 224.19 m²
Purpose	To permit the construction of an accessory building.

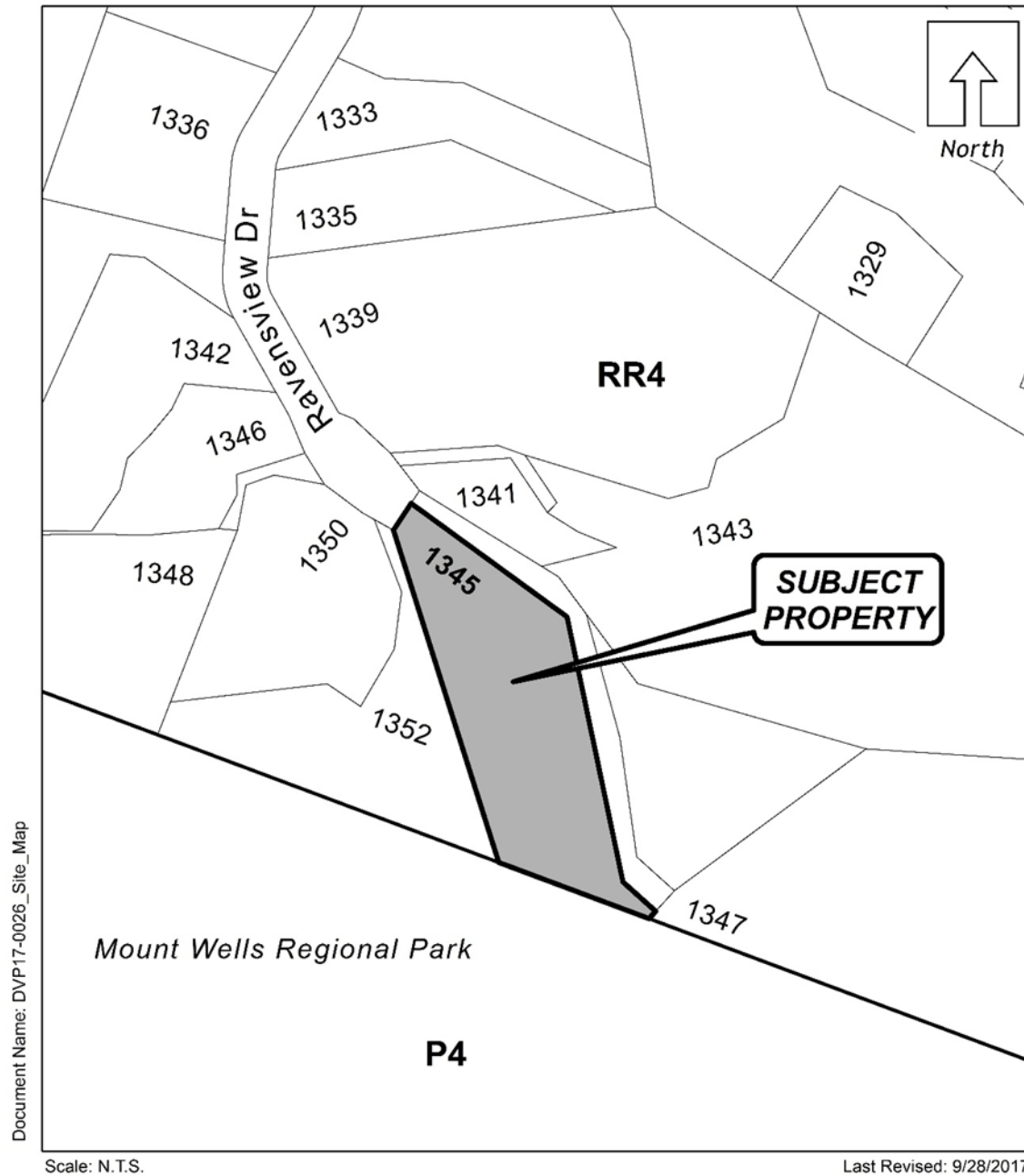
The purpose of this Notice is to acquaint the property owners and residents in the area with the specifics of the proposed variance. We request that any written submissions be submitted by Wednesday, 17 January 2018. The submissions will then be distributed for Council's consideration. You may also speak at the Council Meeting of 22 January 2018 during the Public Participation Section at the beginning of the meeting.

Relevant background information and a draft of the permit are available in the Planning Department for perusal Monday through Friday, except Statutory Holidays, during office hours (8:30 am to 4:30 pm). Please contact David Sametz with any questions on this Development Variance Permit.

Braden Hutchins
Director of Corporate Services

**DEVELOPMENT VARIANCE PERMIT
(DVP17-0026)**

1345 Ravensview Dr



**CITY OF LANGFORD
DEVELOPMENT VARIANCE PERMIT**

DVP17-0027 – 3143 Jacklin Rd

That Development Variance Permit No. DVP17-0027 be issued by the Council for the City of Langford to Alex Samousevitch has applied on behalf of School District No. 62 to allow a reduction in the interior side lot line setback from the required 6.0 m (19.7 ft) to 1.0 m (3.3 ft) to allow for the construction an office portable for the School District No. 62 located at 3143 Jacklin Road subject to the following terms and conditions:

1. Appendix

The site shall be developed in accordance with the site plan attached as (Appendix A) to the Planning, Zoning and Affordable Housing report dated 11 December 2017.

2. Variances

The following regulations of Zoning Bylaw No. 300 are varied under Section 498 of the *Local Government Act*:

- a) That Section 6.81.05 (2) of Zoning Bylaw No. 300 be varied to reduce the minimum interior yard setback from the required 6.0 m (19.7 ft) to 1.0 m (3.3 ft).

3. Conditions

The following requirements are imposed under Section 498 of the *Local Government Act*:

- a) That the applicant accepts responsibility for any damages to the trail as a result of the proposed development.



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Notice of Intention to Consider Issuance of a Development Variance Permit

Council for the City of Langford hereby gives Notice of Intention to consider issuance of a Development Variance Permit at its Regular Meeting scheduled for 5:30 pm, Monday, 22 January 2018, in the City Hall Council Chamber on the Third Floor of 877 Goldstream Avenue.

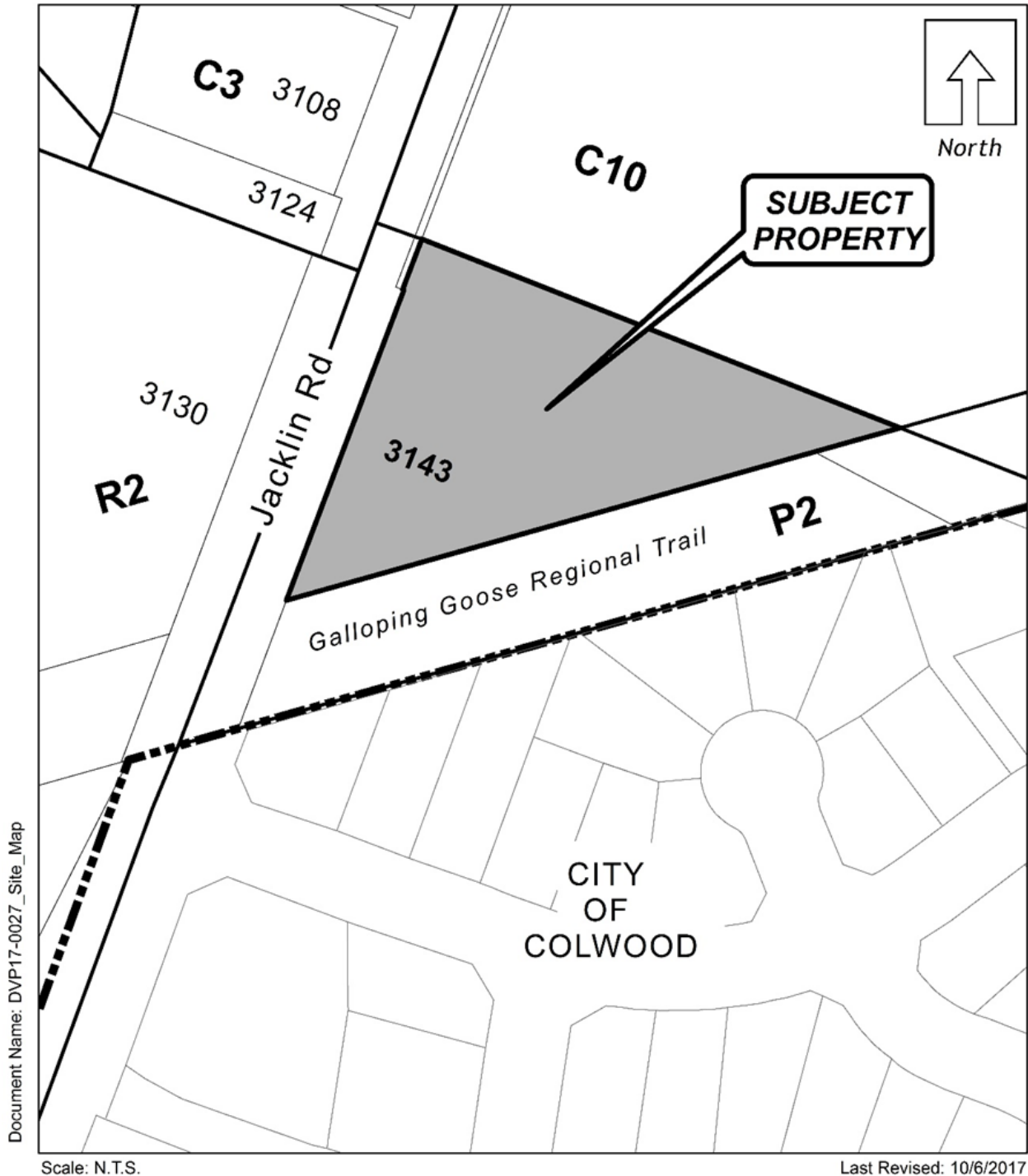
File	Development Variance Permit No. DVP17-0027
Applicant	Alex Samousevitch
Location	3143 Jacklin Rd
Proposal	1. That Section 6.81.05 (2) of Zoning Bylaw No. 300 be varied to reduce the minimum interior yard setback from the required 6.0 m (19.7 ft) to 1.0 (3.3 ft).
Purpose	To allow for the construction an office portable for the School District No. 62 located at 3143 Jacklin Road.

The purpose of this Notice is to acquaint the property owners and residents in the area with the specifics of the proposed variance. We request that any written submissions be submitted by Wednesday, 17 January 2018. The submissions will then be distributed for Council's consideration. You may also speak at the Council Meeting of 22 January 2018 during the Public Participation Section at the beginning of the meeting.

Relevant background information and a draft of the permit are available in the Planning Department for perusal Monday through Friday, except Statutory Holidays, during office hours (8:30 am to 4:30 pm). Please contact David Sametz with any questions on this Development Variance Permit.

Braden Hutchins
Director of Corporate Services

DEVELOPMENT VARIANCE PERMIT
(DVP17-0027)
3143 Jacklin Rd



**CITY OF LANGFORD
DEVELOPMENT VARIANCE PERMIT**

DVP17-0028 – 3690 Happy Valley Rd

That Development Variance Permit No. DVP17-0028 be issued by the Council for the City of Langford to Seamus Brennan, Keycorp Consulting Ltd. on behalf of Peggy Price and Donna Hesketh to vary the RS4 zoning regulations to allow a lot to be created by subdivision that is exempt the minimum 10% frontage requirements as specified in Section 512 of the Local Government Act for the property located at proposed Lot B-1, 3690 Happy Valley Road subject to the following terms and conditions:

1. Appendix

The site shall be developed in accordance with the site plan attached as (Appendix A) to the Planning, Zoning and Affordable Housing report dated 11 December 2017.

2. Variances

The following regulations of Zoning Bylaw No. 300 are varied under Section 498 of the *Local Government Act*:

- a) Waive the 10% minimum frontage requirement of section 512 of the Local Government Act for the panhandle lot; and
- b) Direct staff to proceed with consideration of the following variances for proposed Lot B-1, 3690 Happy Valley Road:
- c) That Section 6.27A.02(5) of Zoning Bylaw No. 300 be varied to allow for a panhandle lot to be created by subdivision in the RS4 zone.

3. Conditions

The following requirements are imposed under Section 498 of the *Local Government Act*:

- a) That the applicant ensure a minimum width of 6.0 m as access, to the satisfaction of the Approving Officer, prior to Subdivision Approval.



Notice of Intention to Consider Issuance of a Development Variance Permit

Council for the City of Langford hereby gives Notice of Intention to consider issuance of a Development Variance Permit at its Regular Meeting scheduled for 5:30 pm, Monday, 22 January 2018, in the City Hall Council Chamber on the Third Floor of 877 Goldstream Avenue.

File	Development Variance Permit No. DVP17-0028
Applicant	Seamus Brennan, Keycorp Consulting Ltd.
Location	Lot B-1, 3690 Happy Valley Road
Proposal	1. Waive the 10% minimum frontage requirement of section 512 of the Local Government Act for the panhandle lot; and 2. Direct staff to proceed with consideration of the following variances for proposed Lot B-1, 3690 Happy Valley Road: 3. That Section 6.27A.02(5) of Zoning Bylaw No. 300 be varied to allow for a panhandle lot to be created by subdivision in the RS4 zone. 4. That the applicant ensure the minimum panhandle width is 6.0m prior to Subdivision Approval
Purpose	To permit a panhandle lot.

The purpose of this Notice is to acquaint the property owners and residents in the area with the specifics of the proposed variance. We request that any written submissions be submitted by Wednesday, 17 January 2018. The submissions will then be distributed for Council's consideration. You may also speak at the Council Meeting of 22 January 2018 during the Public Participation Section at the beginning of the meeting.

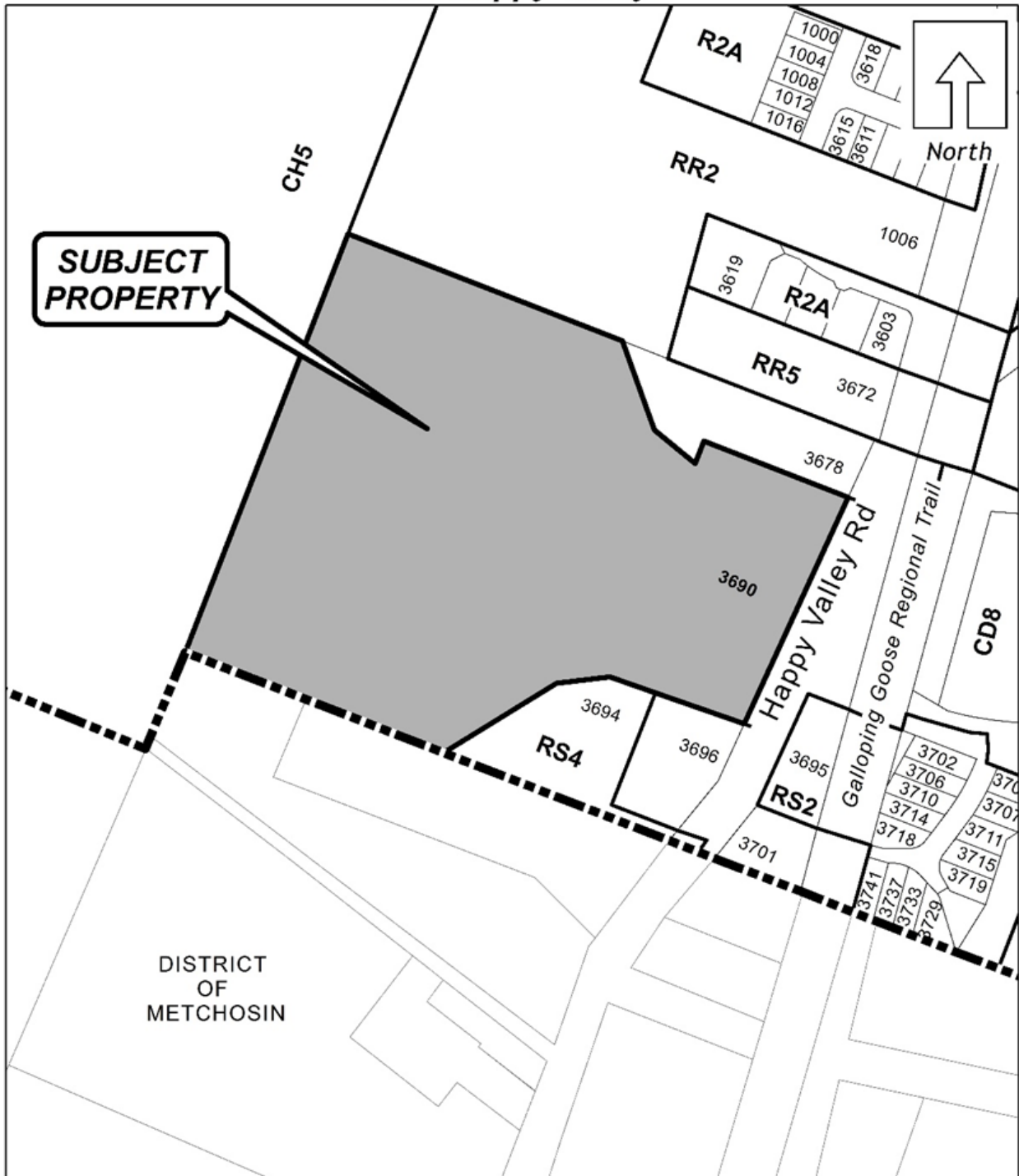
Relevant background information and a draft of the permit are available in the Planning Department for perusal Monday through Friday, except Statutory Holidays, during office hours (8:30 am to 4:30 pm). Please contact David Sametz with any questions on this Development Variance Permit.



Braden Hutchins
Director of Corporate Services

**DEVELOPMENT VARIANCE PERMIT
(DVP17-0028)**

3690 Happy Valley



Document Name: DVP17-0028_Site_Map

Scale: N.T.S.

Last Revised: 10/26/2017

**CITY OF LANGFORD
DEVELOPMENT VARIANCE PERMIT**

DVP17-0031 – 2874 Leigh Rd

That Development Variance Permit No. DVP17-0031 be issued by the Council for the City of Langford to Carole Hutchinson, Design One - Stevens Interiors on behalf of Derek Russell Hass to reduce the minimum setback from the exterior side lot line from 2.0 m (6.6 ft) to 1.5 m (5 ft) for the proposed one-family dwelling at 2874 Leigh Road subject to the following terms and conditions:

1. Appendix

The site shall be developed in accordance with the site plan attached as (Appendix C) to the Planning, Zoning and Affordable Housing report dated 24 July 2017.

2. Variances

The following regulations of Zoning Bylaw No. 300 are varied under Section 498 of the *Local Government Act*:

- (a) That Table 3.18.01 of Zoning Bylaw No. 300 be varied by reducing the minimum setback from the exterior side lot line from 2.0 m to 1.5 m for a principal building abutting a highway less than 4.5 m wide.



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Notice of Intention to Consider Issuance of a Development Variance Permit

Council for the City of Langford hereby gives Notice of Intention to consider issuance of a Development Variance Permit at its Regular Meeting scheduled for 5:30 pm, Monday, 22 January 2018, in the City Hall Council Chamber on the Third Floor of 877 Goldstream Avenue.

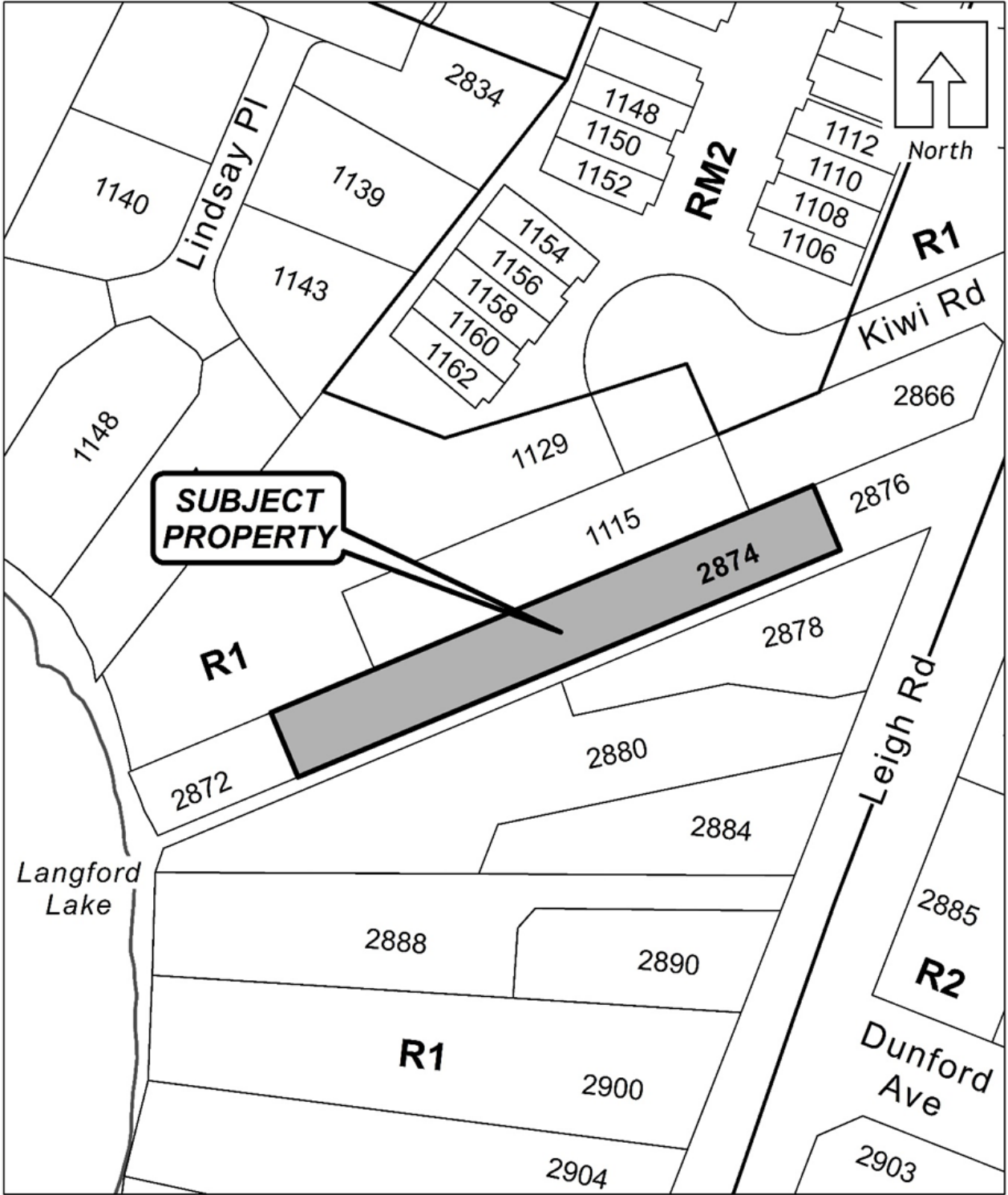
File	Development Variance Permit No. DVP17-0031
Applicant	Carole Hutchinson, Design One - Stevens Interiors
Location	2874 Leigh Rd
Proposal	That Table 3.18.01 of Zoning Bylaw No. 300 be varied by reducing the minimum setback from the exterior side lot line from 2.0 m to 1.5 m for a principal building abutting a highway less than 4.5 m wide.
Purpose	To permit a one-family dwelling at 2874 Leigh Rd.

The purpose of this Notice is to acquaint the property owners and residents in the area with the specifics of the proposed variance. We request that any written submissions be submitted by Wednesday, 17 January 2018. The submissions will then be distributed for Council's consideration. You may also speak at the Council Meeting of 22 January 2018 during the Public Participation Section at the beginning of the meeting.

Relevant background information and a draft of the permit are available in the Planning Department for perusal Monday through Friday, except Statutory Holidays, during office hours (8:30 am to 4:30 pm). Please contact Sarah Herring with any questions on this Development Variance Permit.

Braden Hutchins
Director of Corporate Services

Document Name: Z17-0028_Site_Map



Scale: N.T.S.

Last Revised: 6/6/2017

CITY OF LANGFORD

**RESOLUTIONS OF THE PLANNING, ZONING AND AFFORDABLE HOUSING COMMITTEE
MEETING**

Monday, January 15th, 2018

- 1. Bylaw No. 1757 - Application to rezone the property at 3427 Happy Valley Road from RR2 (Rural Residential Zone) to Attached Housing (RM2A) and Amend the Text of the RM2A Zone to allow for townhouse developments with reduced setbacks and higher densities**
- Staff Report (Planning)

That the Planning, Zoning and Affordable Housing Committee Recommend to Council:
That Council:

1. Give First Reading to Bylaw No. 1757 to amend the text of the RM2A (Attached Housing) Zone by:
 - a) Deleting from the RR2 (Rural Residential 2) Zone and adding to the RM2A (Attached Housing) Zone the property legally described as Lot 3, Section 85, Metchosin District, Plan 6533, PID No. 005-857-643 (3427 Happy Valley Road).
 - b) Replacing 6.31A.03(1) with "Except as provided in Articles (2) and (3), buildings in the RM2A Zone shall not exceed a floor area ratio of 0.75."
 - c) Replacing 6.31A.03(2) with "Despite Subsection 6.31A.03(1), on land whose legal description is set out in Table 1 of Schedule AD, the floor area ratio may be increased to a maximum of 1.0, if the owner of the land proposed to be developed pays to the City the amount specified in Column 4 of Table 1 of Schedule AD, prior to the issuance of a Building Permit."
 - d) Replacing 6.31A.03(3) with "Despite Subsection 6.31A.03(1), the floor area ratio may be increased to a maximum of 1.5 if the owner of the land proposed to be developed provides a minimum of 50% of the parking spaces required by this Bylaw in an underground or under building parking structure, subject to compliance with the density bonus provisions specified in Subsection 6.31A.03(2).
 - e) Replacing 6.31A.06 with "No building or structure may be located:
 - a. Within 5.5 m (18 ft) of any front lot line;
 - b. Within 5.5 m (18 ft) of any exterior side lot line;
 - c. Within 7.5 m (25 ft) of at least one interior side or rear lot line, and within 3.0 m (10 ft) of the other interior side and rear lot lines.

Subject to the following terms and conditions:

- (a) That the owner provides, as a bonus for increased density, the following contributions prior to the issuance of a Building Permit:

CONT'

- a. \$3,660 per dwelling unit towards the General Amenity Reserve Fund; and
- b. \$610 per dwelling unit towards the Affordable Housing Reserve Fund.

(b) That the applicant provides, **prior to Public Hearing**:

- a. A road dedication plan to the satisfaction of the Director of Engineering;
- b. A technical stormwater management memorandum to the satisfaction of the Director of Engineering; and
- c. A Traffic Impact Assessment, to the satisfaction of the Director of Engineering, to evaluate the impact of the proposed development on the western portion of the site on Happy Valley Road

(c) That the applicant provides, **prior to Bylaw Adoption**, a Section 219 covenant, registered in priority over all other charges on title, that agrees to the following;

- a. That any required road dedication, in accordance with the road dedication plan approved by the Director of Engineering, will be registered prior to subdivision approval or Building Permit issuance, whichever occurs first;
- b. That the developer will construct full frontage improvements in accordance with Bylaw No. 1000 and to the satisfaction of the Director of Engineering, prior to subdivision approval or Building Permit issuance, whichever occurs first;
- c. That the developer will provide a construction parking management plan, to the satisfaction of the Director of Engineering, prior to Building Permit issuance;
- d. That the developer will provide a stormwater management plan, in accordance with Bylaw No. 1000 and to the satisfaction of the Director of Engineering, prior to subdivision approval or Building Permit issuance, whichever occurs first;
- e. That the developer will implement the approved stormwater management plan, and complete any required improvement and/or upgrades to on- and off-site infrastructure, to the satisfaction of the Director of Engineering and at the developer's expense;
- f. That the developer will implement any on- or off-site improvements required by the Traffic Impact Assessment, to the satisfaction of the Director of Engineering and prior to subdivision approval or Building Permit issuance, whichever occurs first; and
- g. That the developer and all subsequent landowners acknowledge the proximity of the development to lands within the Agricultural Land Reserve (ALR) and to the South Vancouver Island (SVI) Rangers gun range, and acknowledge that these land uses may create noise, odour and general nuisances.

2. Authorize the Director of Planning to issue the following variances in a Development Permit to be applied for by the applicant:

- (a) To reduce the minimum front yard setback from 5.5 m (18 ft) to 3.0 m (10 ft) for a portion of the building other than the garage;
- (b) To reduce the minimum exterior side yard setback from 5.5 m (18 ft) to 3.0 m (10 ft);
- (c) To reduce the minimum interior side yard setback from 3.0 m (10 ft) to 1.5 m; and

CONT'

(d) To reduce the minimum rear yard setback from 7.5 m (25 ft) to 3.0 m (10 ft).

CARRIED.

2. Bylaw No. 1756 - Application to Rezone 721 Station Avenue from CS1 (Service Commercial) to C8A (Community Town Centre Pedestrian A) and to amend the text of the C8A Zone to allow for future redevelopment of the site
- Staff Report (Planning)

That the Planning, Zoning and Affordable Housing Committee Recommend to Council:
That Council:

1. Give First Reading to Bylaw No. 1756 as drafted to rezone the property at 721 Station Avenue from CS1 (Service Commercial) to C8A (Community Town Centre Pedestrian A) and to amend the text of the C8A Zone to allow for future redevelopment of the site at a higher density and with a wider range of permitted uses.

Subject to the following conditions:

- a) That, **prior to Public Hearing**, the applicant provides a technical memorandum regarding stormwater management for redevelopment of the site, to the satisfaction of the Director of Engineering; and
- b) That, **prior to Bylaw Adoption**, the applicant provides a Section 219 Covenant, registered on title in priority of all other charges, that agrees to:
 - i. Provide a Traffic Impact Assessment (TIA), to the satisfaction of the Director of Engineering and the Ministry of Transportation, and complete all improvements recommended in the TIA, to the satisfaction of the Director of Engineering, prior to the issuance of any Development Permit or Building Permit, whichever occurs first, for redevelopment of the site to a density exceeding a floor area ratio (FAR) of 1.0;
 - ii. Provide a stormwater management plan, to the satisfaction of the Director of Engineering and in accordance with Bylaw No. 1000, prior to subdivision approval or the issuance of a Building Permit for redevelopment of the site;
 - iii. Implement the approved stormwater management plan and complete any required improvements and/or upgrades to on- and off-site infrastructure necessary to facilitate proper drainage on the subject property, at the owner's expense;
 - iv. Construct full frontage improvements on Station Avenue and Millstream Road, in accordance with Bylaw No. 1000 and to the satisfaction of the Director of

CONT'

- Engineering, prior to subdivision approval or the issuance of a Building Permit for redevelopment of the site, whichever occurs first; and
- v. Provide a construction parking management plan, to the satisfaction of the Director of Engineering, prior to the issuance of any Building Permit for redevelopment of the site; and
 - vi. That any necessary aboveground or underground infrastructure or servicing upgrades, extensions or other servicing requirements are to be fulfilled to the standards of Bylaw No. 1000 and to the satisfaction of the Director of Engineering, and that any costs incurred by these upgrades, extensions or other requirements will be the responsibility of the developer.

CARRIED.

3. Application for Development Variance Permit to allow an additional directory sign and permit freestanding directory signs at 2401 Millstream Road
- Staff Report (Planning)

That the Planning, Zoning and Affordable Housing Committee Recommend to Council:
That Council:

1. Direct staff to proceed with consideration of the following variances for 2401 Millstream Road:
 - a) That Section 9(a)(ii) of Sign Bylaw No. 1250 be varied to allow two freestanding directory signs instead of the requirement façade style;
 - b) That Section 9(b) of Sign Bylaw No. 1250 be varied to allow one additional directory sign above and beyond one per highway frontage.

CARRIED.

4. Draft Five Year Financial Plan for 2018/2022
- Staff Report (Planning)

That the Planning, Zoning and Affordable Housing Committee Recommend to Council:
That Council:

1. Approve in principle the Planning and Development Services Five Year Financial Plan as presented with the following priorities on projects:

CONT'

Item	Estimated Cost	Priority	
Official Community Plan (OCP) review	\$30,000	1	
Community Energy and Emissions Reduction	\$10,000	3	
Zoning Bylaw Re-Write	\$15,300	2	
Film Commission Funding	\$2,550	4	
2. Direct Staff to prepare a bylaw to amend the City's Development Procedures Bylaw (Bylaw No. 209) to include an increase to planning related fees commensurate with the cost of living and an increase in Public Hearing fees to reflect the new costs associated with advertising (newspaper ads and signage); CARRIED.			



Staff Report to Council

Date: January 22, 2018
Department: Engineering
Subject: Realignment of Claude Road South

Background

DB Services is currently constructing *Danbrook One*, an 11 Storey residential building at 2766 Claude Road on the west side of Claude Road one block north of Goldstream Avenue.

The purpose of this report is to seek Council direction with respect to proposed frontage improvements along the east side of Claude Road.

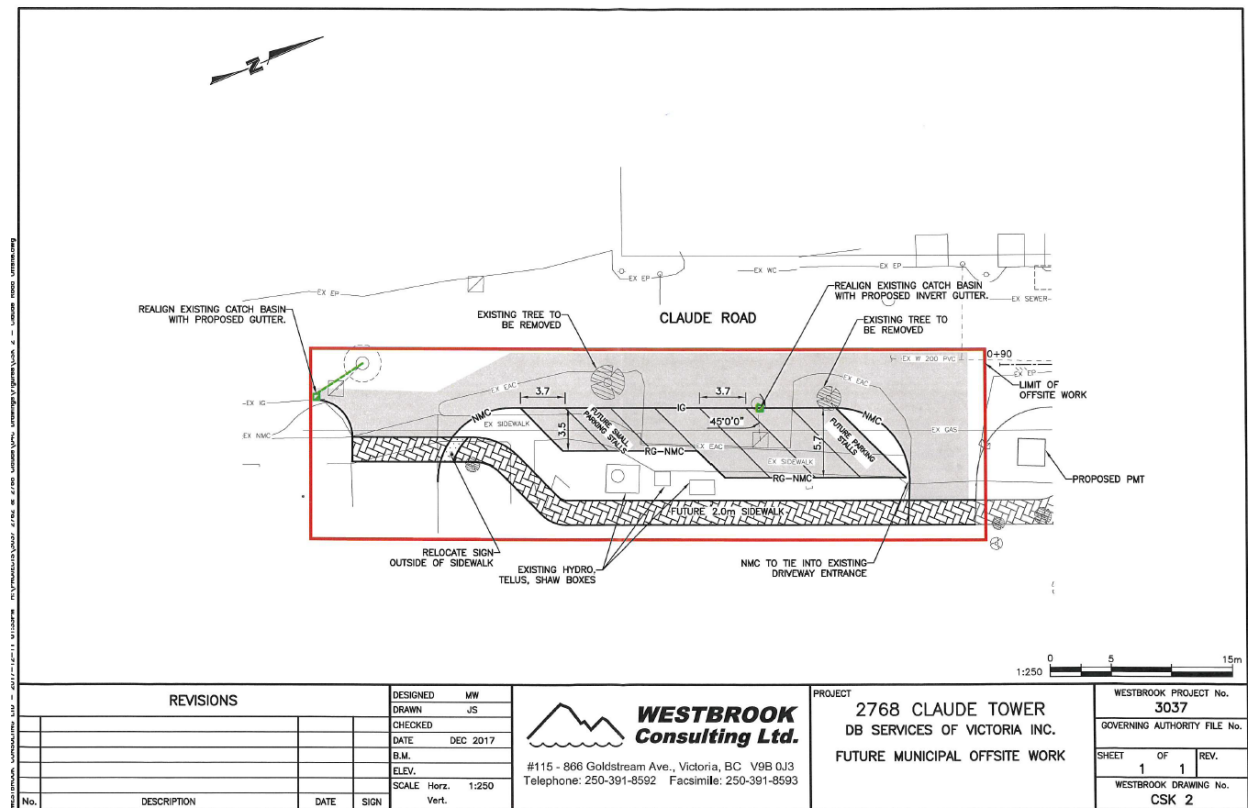


Commentary

DB Services is obligated to complete frontage improvements along the frontage of the new Danbrook One building. Their frontage improvements will include a sidewalk and landscaping as well as any necessary streetlight improvements.

The land immediately across the road from the Danbrook One site is a City owned surface parking lot. The land immediately south of the City owned parking lot is an existing shopping mall (Westbrook Mall). Typically the City would work with land owners at the time of rezoning to obtain frontage improvements along the landowner's frontage. In the case of the Westbrook Mall property at 2777 Claude there are no current rezoning applications in the work so no trigger for frontage improvements.

DB Services is proposing that the City use General Amenity Reserve funds obtained during the rezoning of Danbrook One to improve the frontage on the east side of Claude Road as shown in the drawing below. The improvements would include additional angled parking to mimic the look of the street immediately north of this location.



Financial Implications

Westbrook Consulting Ltd. has completed a design and cost estimate for the proposed frontage improvements. The construction costs are estimated at \$69,200 with an additional \$17,300 in engineering and contingency costs for a total estimated cost of \$86,500.

It is proposed that the frontage improvement costs would be paid from the City's General Amenity Reserve funds. The City obtained \$44,600 in General Amenity Reserve funds at the time that Danbrook One was rezoned.

Legal Implications

None noted.

Options

That Council:

1. Authorize the allocation of up to \$86,500 in General Amenity Reserve Funds towards frontage improvements along the east side of Claude Road adjacent to 2769 and 2777 Claude Road as outlined in this report;
OR
2. Not allocate any General Amenity Reserve Funds towards frontage improvements along the east side of Claude Road adjacent to 2769 and 2777 Claude Road as outlined in this report.

Respectfully submitted,

Submitted by:	Michelle Mahovlich, P.Geo., P.Eng., Director of Engineering
Concurrence:	Matthew Baldwin, MCIP, RPP Director of Planning
Concurrence:	Chris Aubrey, Fire Chief
Concurrence:	Cory Manton, Manager of Parks and Recreation
Concurrence:	George Henshall, ASCT, Deputy Director of Engineering
Concurrence:	Michael Dillabaugh, CPA, CA, Director of Finance
Concurrence:	Braden Hutchins, Director of Corporate Services
Concurrence:	Darren Kiedyk, Chief Administrative Officer

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Staff Report to Council

Date: January 22, 2018

Department: Land Development

Application No.: DVP17-0029

Subject: Application for Development Variance Permit to allow a road to be constructed further than 305m from a highway that has two routes available to emergency vehicles at 2342 Lairds Gate

PURPOSE

Jared Steingard has applied on behalf of Paul Goudy and Kirsten Peters for a development variance permit to allow a road to be constructed further than 305m from a highway that has two routes available to emergency vehicles to access that point on the highway at 2342 Lairds Gate as shown on **Appendix A – Subdivision Plan**.

BACKGROUND

PREVIOUS APPLICATIONS

On July 18th, 2005, Council adopted Bylaw № 944, which rezoned the property at 999 and 1000 Gade Road from GB1 (Greenbelt 1) to the CD6 (Comprehensive Development 6 – Bear Mountain) Zone and increased the overall density of development in the CD6 (Comprehensive Development 6 – Bear Mountain) Zone to a total of 2983 dwelling units.

On August 21, 2006 Council adopted Bylaw № 1027 (an OCP amendment Bylaw), which amended Appendix 'M' (Bear Mountain Estates Area Plan) of the OCP by amending the distribution of land uses within the Land Use Concept Plan.

On October 2nd, 2006 Council adopted Bylaw № 1028 (a zoning bylaw amendment), which amended the CD6 (Comprehensive Development 6 – Bear Mountain) Zone by increasing the maximum permitted residential density to a total of 5000 dwelling units and inserting new amenity requirements, additional permitted uses, subdivision requirements, and setback / height provisions.

On November 2nd, 2009, Council adopted Bylaw № 1254, which created a new Area 6 within the CD6 (Comprehensive Development 6 – Bear Mountain) Zone for 2510 Echo Valley Drive in order to implement the applicant's proposal to limit development potential of this property to 15 one-family residential lots and to preserve approximately 55% of the property as natural open space.

On September 19th, 2016, Council adopted Bylaw № 1620, (a zoning bylaw amendment), which amended the CD6 (Comprehensive Development 6 – Bear Mountain) Zone to amend the open space requirement from approximately 55% of the original parcel to a minimum of 40% and to increase the maximum lot yield beyond 15 lots. However a Section 219 Covenant was registered as part of this application restricting the density of development to 25 lots for a minimum of 5 years following adoption of the amendment bylaw.

Development Permit Nos DP11-0047, DP13-0045 and DP17-0020 have been issued with respect to altering land and subdividing within the Environmentally Sensitive and Hazardous Area Development Permit Area designations noted in Table 1.

Table 1: Site Data

<i>Applicant</i>	Jared Steingard
<i>Owner</i>	Paul Goudy and Kirsten Peters
<i>Civic Address</i>	2342 Lairds Gate
<i>Legal Description</i>	lot 1 Sections 1 And 2 Range 4 West Highland District Plan Vip83411 Except Parts In Plans EPP40953, EPP53263 and EPP75010 (SEE PLAN AS TO LIMITED ACCESS)
<i>Size of Property</i>	6.73 ha (16.44 ac)
<i>DP Areas</i>	Extreme Fire Hazard, Habitat and Biodiversity, Riparian Areas, Steep Slopes, and Woodland
<i>Zoning Designation</i>	CD6 Area 6
<i>OCP Designation</i>	Hillside or Shoreline

SITE AND SURROUNDING AREA

This is the third phase of the Grand Forest Close subdivision located on the south east face of Mini-Skirt Mountain in Bear Mountain as shown on **Appendix C- Area Map**. Access is provided from Nicklaus Drive by way of Grand Forest Close. The land is bedrock controlled with forest and steep rocky outcrops. 40% of the land is to be preserved as Open Space as per development permit DP17-0020 and covenant CA382571.

Table 2: Surrounding Land Uses

	Zoning	Use
<i>North</i>	CD6A	Future Bear Mountain development sites
<i>East</i>	CD6A	Future Bear Mountain development sites

<i>South</i>	CD12	Future Bear Mountain and South Skirt Mountain development sites
<i>West</i>	CD6, CD6A	One-family residential, currently under development, and Golf Course

COMMENTS

The applicant has applied for a 10 lot fee simple subdivision with a proposed extension of Lairds Gate that would require the dedication of road further than 305m from a highway with two emergency access routes contrary to Bylaw 1000 s.4.17.1. The distance is measured from the intersection of Nicklaus Drive and Grand Forest close as shown on **Appendix B – Variance Plan**.

Due to the topography of the site, the existing overall design of Bear Mountain, and the rezoning requirement to preserve 40% of the land as open space, secondary access to the Lairds Gate is not feasible at this time.

The owners of the new lots would be required to mitigate the risk of fire by following the requirements of the Wildland Interface Zone Fire Hazard Assessment as appended to the Development Permits registered on title. This ensures fire-retardant roof materials, non-combustible siding and low combustible landscaping are used.

In the past, when a variance such as this has been considered by Council, conditions of approval such as a requirement for fire sprinklers within buildings have been applied.

OPTIONS

Option 1

That the Planning, Zoning and Affordable Housing Committee recommend that Council:

1. Direct staff to proceed with consideration of the following variances for 2342 Lairds Gate:
 - a) That Section 4.17.1 of Subdivision and Development Servicing Bylaw No. 1000 be varied to increase the maximum length of road allowed past a highway that has two routes available to emergency vehicles from 305m to 505m, subject to:
 - i) The registration of a Section 219 Covenant prior to the issuance of this Development Variance Permit requiring the installation of internal fire sprinklers to NFPA standards, to the satisfaction of the Chief Building Inspector and Fire Chief;

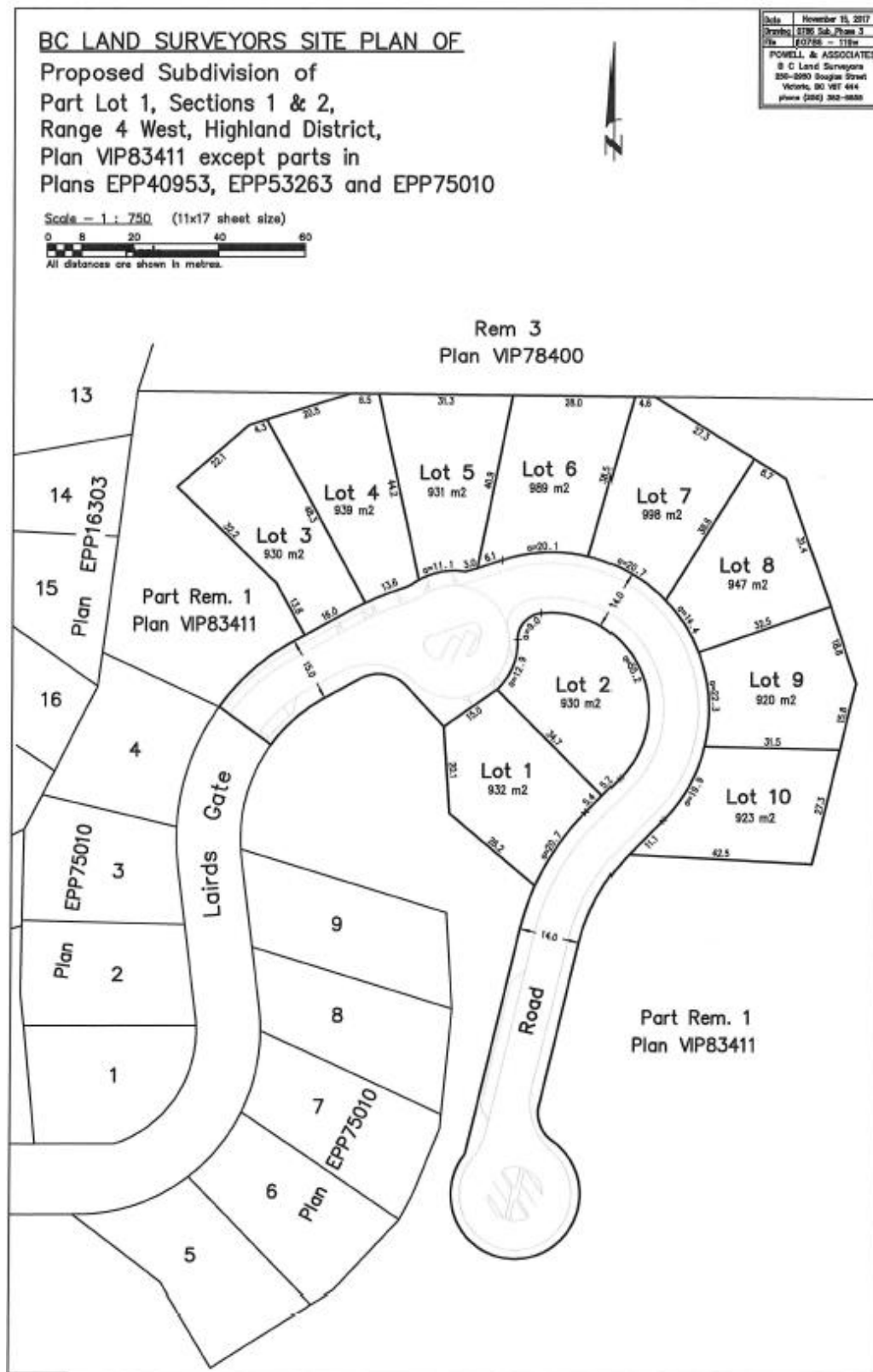
OR Option 2

2. Reject this application for development variance permit.
-

Submitted by:	James Oliver
Concurrence:	Matthew Baldwin, MCIP, RPP Director of Planning
Concurrence:	Cory Manton, Manager of Parks and Recreation
Concurrence:	Michelle Mahovich, P.Eng, P.Geo, Director of Engineering
Concurrence:	Leah Stohmann, MCIP, RPP, Deputy Director of Planning
Concurrence:	Michael Dillabaugh, CPA, CA, Director of Finance
Concurrence:	Braden Hutchins, Director of Corporate Services
Concurrence:	Darren Kiedyk, Chief Administrative Officer

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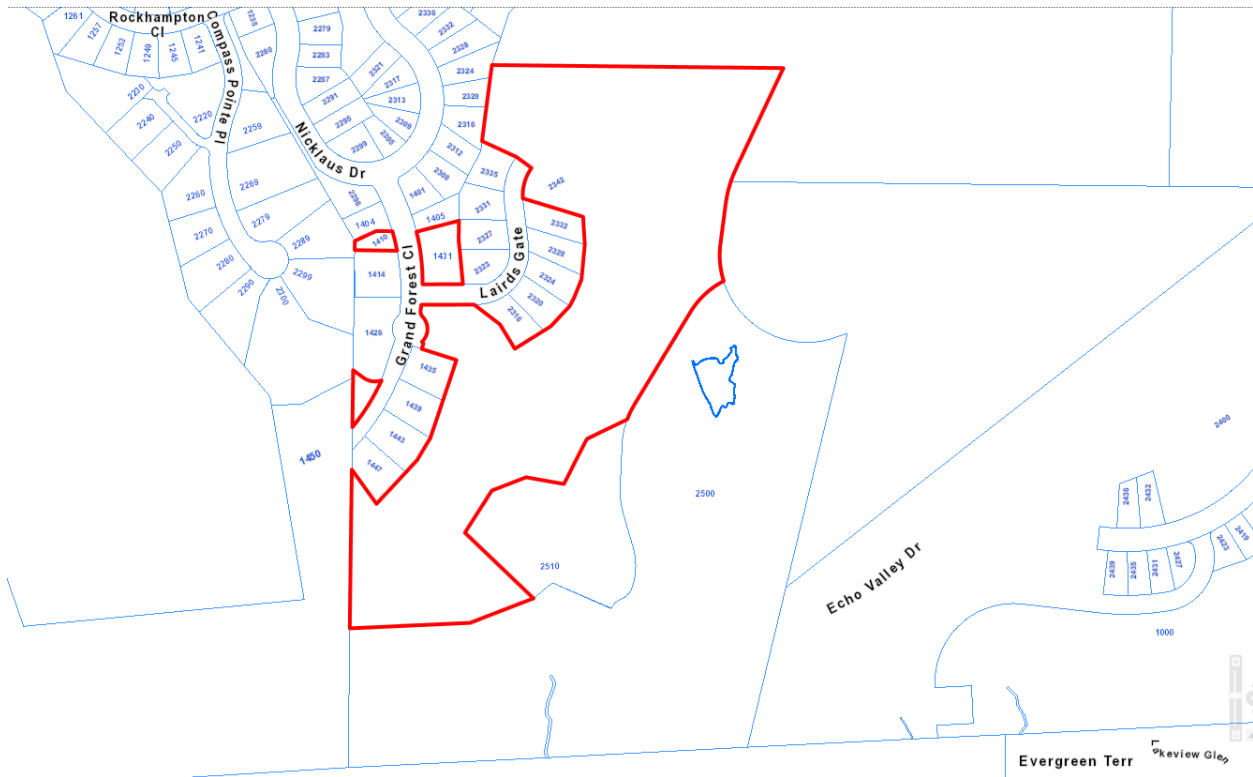
Appendix A – Subdivision Plan



Appendix B – Variance Plan



Appendix C – Location Map





Staff Report to Council

Date: January 22, 2018
Department: Planning
Application No.: Z17-0035
Subject: Bylaw No. 1745 - Application to Rezone 681 Rockingham Road from R2 (One- and Two-Family Residential) to RS1 (Small Lot 1) to accommodate a 3 lot subdivision with homes larger than 200m²

At their Regular Meeting of 2 October 2017, Council passed the following resolution with respect to the property at 681 Rockingham Road:

That Council:

1. *Direct staff to prepare a bylaw to amend the zoning designation of the property located at 681 Rockingham Road from R2 to RS1, subject to the following terms and conditions:*
 - a) *That the owner agrees to provide, **as a bonus for increased density**, the following contributions per new lot created above and beyond 2 lots, prior to subdivision approval: **(SECURED IN BYLAW NO. 1745)***
 - i. *\$2,772 towards the General Amenity Reserve Fund;*
 - ii. *\$660 towards the Affordable Housing Reserve Fund;*
 - b) *That the applicant provides, **prior to Bylaw Adoption**, a Section 219 covenant, registered in priority of all other charges on title, that agrees to the following: **(COMPLETE)***
 - i. *That prior to subdivision approval, the applicant provides full frontage improvements to the standards of the Subdivision and Development Servicing Bylaw No. 1000 standards, and to the Director of Engineering. This will include but is not limited to removing the rock in the centre of the existing cul de sac, creating a parking bowtie, and installing a street light;*
 - ii. *That a Stormwater Management Plan shall be provided and all required measures recommended shall be implemented by the owner as a condition of Subdivision approval, to the satisfaction of the Director of Engineering;*

- iii. *That a Construction Parking Management Plan be provided to the satisfaction of the Director of Engineering prior to any alteration of the land.*

2. *Direct staff to proceed with amending the text of the RS1 zone to allow the size of the principle use buildings to exceed a gross floor area of 200m².*

COMMENTS

The applicant has registered a Sec. 219 covenant against the title of the subject property that agrees to the items in 1(b) of Council's above-noted resolution from October 2nd, 2017.

Bylaw No. 1745 was signed by the Ministry of Transportation on November 21st, 2017.

OPTIONS

That Council:

1. Adopt Bylaw No. 1745;
2. Take no action at this time with respect to Bylaw No. 1745;

Respectfully Submitted,

Submitted by:	Julia Buckingham, Planning Technician
Concurrence:	Matthew Baldwin, MCIP, RPP Director of Planning
Concurrence:	Chris Aubrey, Fire Chief
Concurrence:	Michelle Mahovlich, P.Eng, P.Geo, Director of Engineering
Concurrence:	Leah Stohmann, MCIP, RPP, Deputy Director of Planning
Concurrence:	Michael Dillabaugh, CPA, CA, Director of Finance
Concurrence:	Braden Hutchins, Director of Corporate Services
Concurrence:	Darren Kiedyk, Chief Administrative Officer

:jb

**CITY OF LANGFORD
BYLAW NO. 1745**

**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 the RS1 (Residential Small Lot 1) Zone the following text from Section 6.23.05(2) "The gross floor area of a dwelling must not exceed 200 m² (2 150 ft²)";
2. By deleting from the R2 (One- and Two-Family Residential) Zone and adding to RS1 (Residential Small Lot 1) Zone the property legally described as LOT A, SECTION 109, ESQUIMALT DISTRICT, PLAN 20731, PID No. 000-424-391 (681 Rockingham Rd) in the portions as shown shaded on Plan No. 1 attached to and forming part of this Bylaw.
3. 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 (Column 5)
RS1	1745	LOT A, SECTION 109, ESQUIMALT DISTRICT, PLAN 20731, PID No. 000-424-391 (681 Rockingham Rd)	a) \$2,772 towards the General Amenity Reserve Fund per lot above and beyond 2 lots; b) \$660 towards the Affordable Housing Reserve Fund per lot above and beyond 2 lots	No

B. This Bylaw may be cited for all purposes as "Langford Zoning Bylaw, Amendment No. 511, (681 Rockingham Rd), 2017".

READ A FIRST TIME this 16th day of October, 2017.

PUBLIC HEARING held this 20th day of November, 2017.

READ A SECOND TIME this 20th day of November, 2017.

READ A THIRD TIME this 20th day of November, 2017.

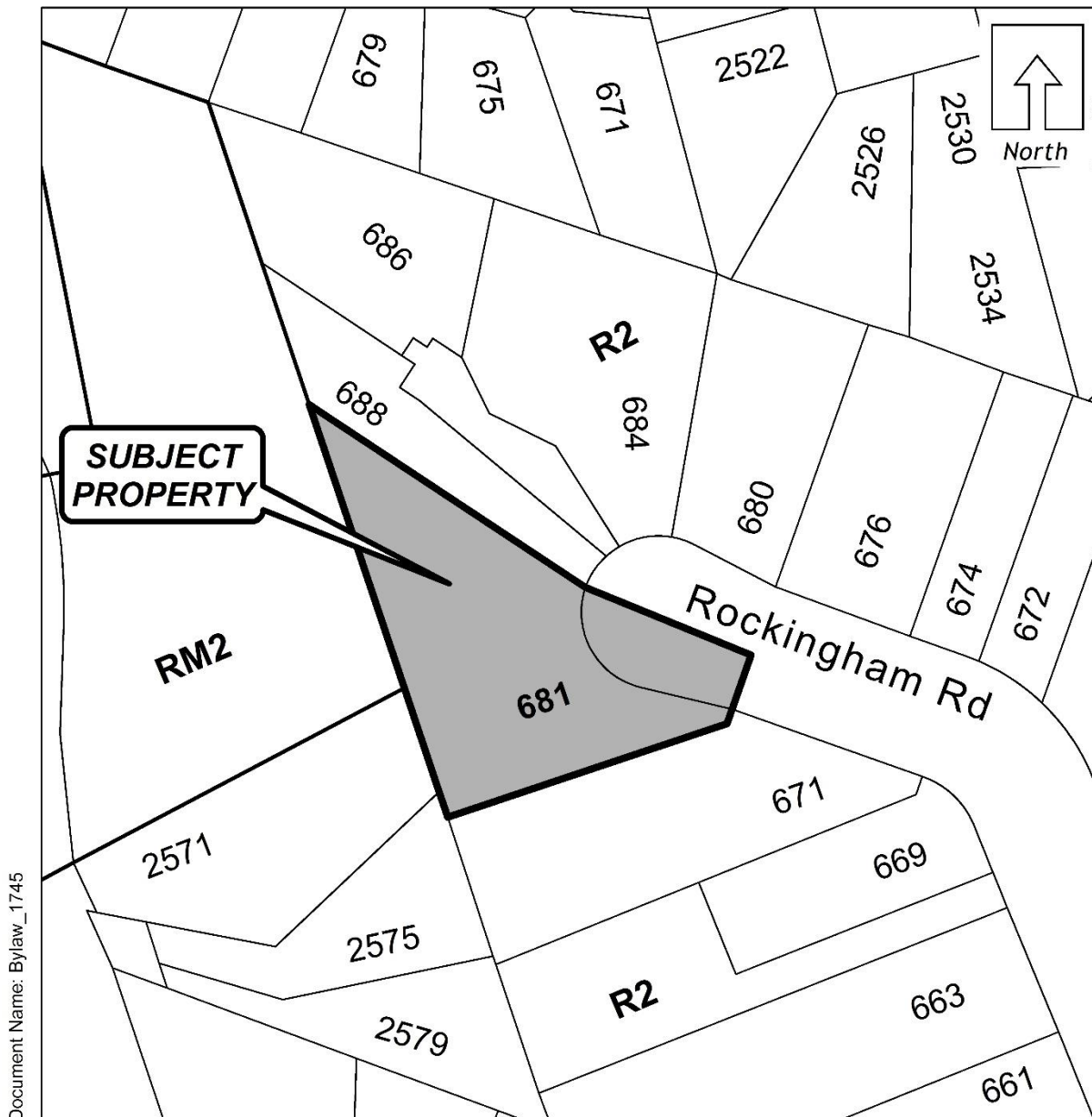
APPROVED BY THE MINISTRY OF TRANSPORTATION THIS 21st day of November, 2017.

ADOPTED this of, 2017.

MAYOR

(Certified Correct)
CORPORATE OFFICER

Schedule A



I HEREBY CERTIFY THIS TO BE A TRUE COPY
OF PLAN No. 1 AS DESCRIBED
IN SECTION A1 OF BYLAW No. 1745

MAYOR

ADOPTION: _____

CORPORATE OFFICER

Scale: N.T.S.

Last Revised: 9/26/2017

CITY OF LANGFORD

BYLAW NO. 1756

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 the CS1 (Service Commercial) Zone and adding to C8A (Community Town Centre Pedestrian) Zone the property legally described as Strata Lot 1, Section 72, Esquimalt District, Strata Plan VIS5806 Together With an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form V, PID No. 026-326-752 (721 Station Avenue).
2. 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 (Column 5)
C8A	1756	Strata Lot 1, Section 72, Esquimalt District, Strata Plan VIS5806 Together With an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form V, PID No. 026-326-752 (721 Station Avenue).	a) \$1,000 per Single Family Equivalent (SFE) toward the Affordable Housing Reserve Fund; b) \$4,200 per SFE toward the General Amenity Reserve Fund; and c) \$10.75 per m² (\$1.00 per ft²) of commercial Gross Floor Area (GFA) toward the General Amenity Reserve Fund.	No

3. By adding the following to Section 6.44A.01 and re-numbering the other clauses accordingly:

- (1) Accessory buildings and uses;
- (2) Animal hospital in an enclosed building;
- (5) Appliance repair;
- (6) Auction room;
- (7) Automobile glass repair, on the land legally described as Strata Lot 1, Section 72, Esquimalt District, Strata Plan VIS5806 Together With an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form V, PID No. 026-326-752 (721 Station Avenue);

- (8) Bakery;
- (9) Business college and trade school;
- (14) Funeral parlour;
- (22) Liquor store;
- (25) Parking facility;
- (29) Printing, publishing and bookbinding;
- (38) The retail sale of parts and accessories for automobiles, trucks, boats, camper vehicles, farm machinery and manufactured homes.

4. By amending Subsection 6.44A.04(1) to read:

“Except as provided in articles (2), (3), (4), (5) and (6), the floor area ratio may not exceed 1.0.”

5. By adding the following as Subsection 6.44A.04(6)

“Notwithstanding Subsection 6.44A.04(1), the floor area ratio may be increased to 5.0, on the land legally described as Strata Lot 1, Section 72, Esquimalt District, Strata Plan VIS5806 Together With an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form V, PID No. 026-326-752 (721 Station Avenue), if the owner provides:

- (a) A minimum of 75% of the parking spaces required by this Bylaw in an underground parking structure;
- (b) The amenity contributions set out in Table 1 of Schedule AD, prior to the issuance of a Building Permit for development with a maximum floor area over 1.0; and
- (c) Residential dwelling units on any storey above the ground floor.”

6. By adding the following as Subsection 6.44A.06(2):

“On land legally described as Strata Lot 1, Section 72, Esquimalt District, Strata Plan VIS5806 Together With an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form V, PID No. 026-326-752 (721 Station Avenue), the maximum height of buildings and structures shall be governed by the provisions of Subsection 6.44A.04(6) and not 6.44A.06(1) above.”

B. This Bylaw may be cited for all purposes as “Langford Zoning Bylaw, Amendment No. 520, (721 Station Avenue), 2018”.

READ A FIRST TIME this day of, 2018.

PUBLIC HEARING held this day of, 2018.

READ A SECOND TIME this day of, 2018.

READ A THIRD TIME this day of, 2018.

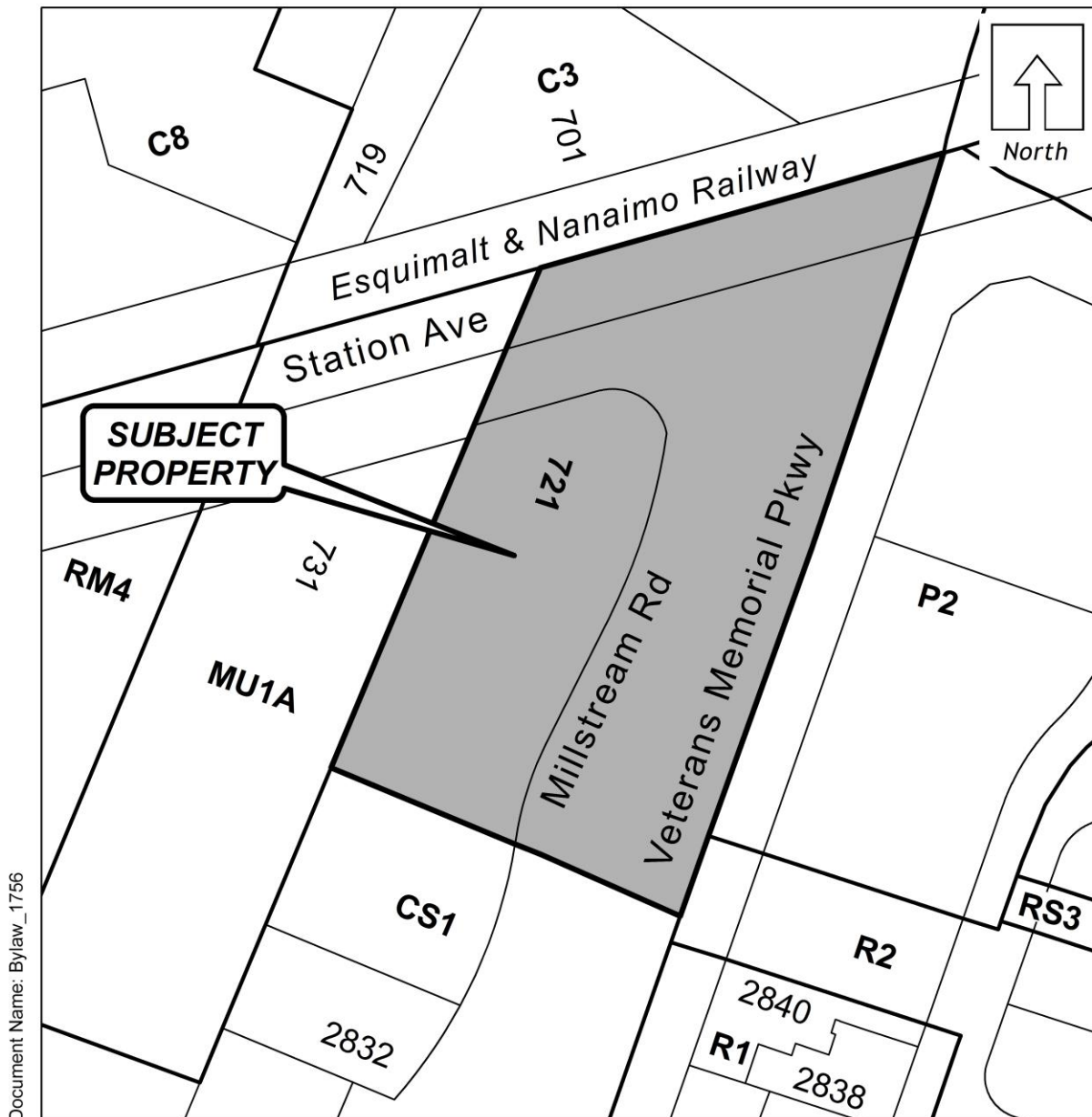
APPROVED BY THE MINISTRY OF TRANSPORTATION THIS day of , 2018.

ADOPTED this of, 2018.

MAYOR

(Certified Correct)
CORPORATE OFFICER

Schedule A



I HEREBY CERTIFY THIS TO BE A TRUE COPY
OF PLAN No. 1 AS DESCRIBED
IN SECTION A1 OF BYLAW No. 1756

MAYOR

ADOPTION: _____

CORPORATE OFFICER

Scale: N.T.S.

Last Revised: 12/5/2017

**CITY OF LANGFORD
BYLAW NO. 1757**

**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 the RR2 (Rural Residential 2) Zone and adding to the RM2A (Attached Housing) Zone the property legally described as Lot 3, Section 85, Metchosin District, Plan 6533, PID No. 005-857-643 (3427 Happy Valley Road).
2. By replacing 6.31A.03(1) with "Except as provided in Articles (2) and (3), buildings in the RM2A Zone shall not exceed a floor area ratio of 0.75."
3. By replacing 6.31A.03(2) with "Despite Subsection 6.31A.03(1), on land whose legal description is set out in Table 1 of Schedule AD, the floor area ratio may be increased to a maximum of 1.0, if the owner of the land proposed to be developed pays to the City the amount specified in Column 4 of Table 1 of Schedule AD, prior to the issuance of a Building Permit."
4. By replacing 6.31A.03(3) with "Despite Subsection 6.31A.03(1), the floor area ratio may be increased to a maximum of 1.5 if the owner of the land proposed to be developed provides a minimum of 50% of the parking spaces required by this Bylaw in an underground or under building parking structure, subject to compliance with the density bonus provisions specified in Subsection 6.31A.03(2).
5. By replacing 6.31A.06 with "No building or structure may be located:
 - (a) Within 5.5 m (18 ft) of any front lot line;
 - (b) Within 5.5 m (18 ft) of any exterior side lot line;
 - (c) Within 7.5 m (25 ft) of at least one interior side or rear lot line, and within 3.0 m (10 ft) of the other interior side and rear lot lines."

6. 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 (Column 5)
RM2A	1757	Lot 3, Section 85, Metchosin District, Plan 6533, PID No. 005-857-643 (3427 Happy Valley Road).	a) \$6,000 per Single Family Equivalent (SFE) towards the General Amenity Reserve Fund; and b) \$1,000 per SFE towards the Affordable Housing Reserve Fund.	No.

B. This Bylaw may be cited for all purposes as "Langford Zoning Bylaw, Amendment No. 521, (3427 Happy Valley Road), 2018".

READ A FIRST TIME this day of, 2018.

PUBLIC HEARING held this day of, 2018.

READ A SECOND TIME this day of, 2018.

READ A THIRD TIME this day of, 2018.

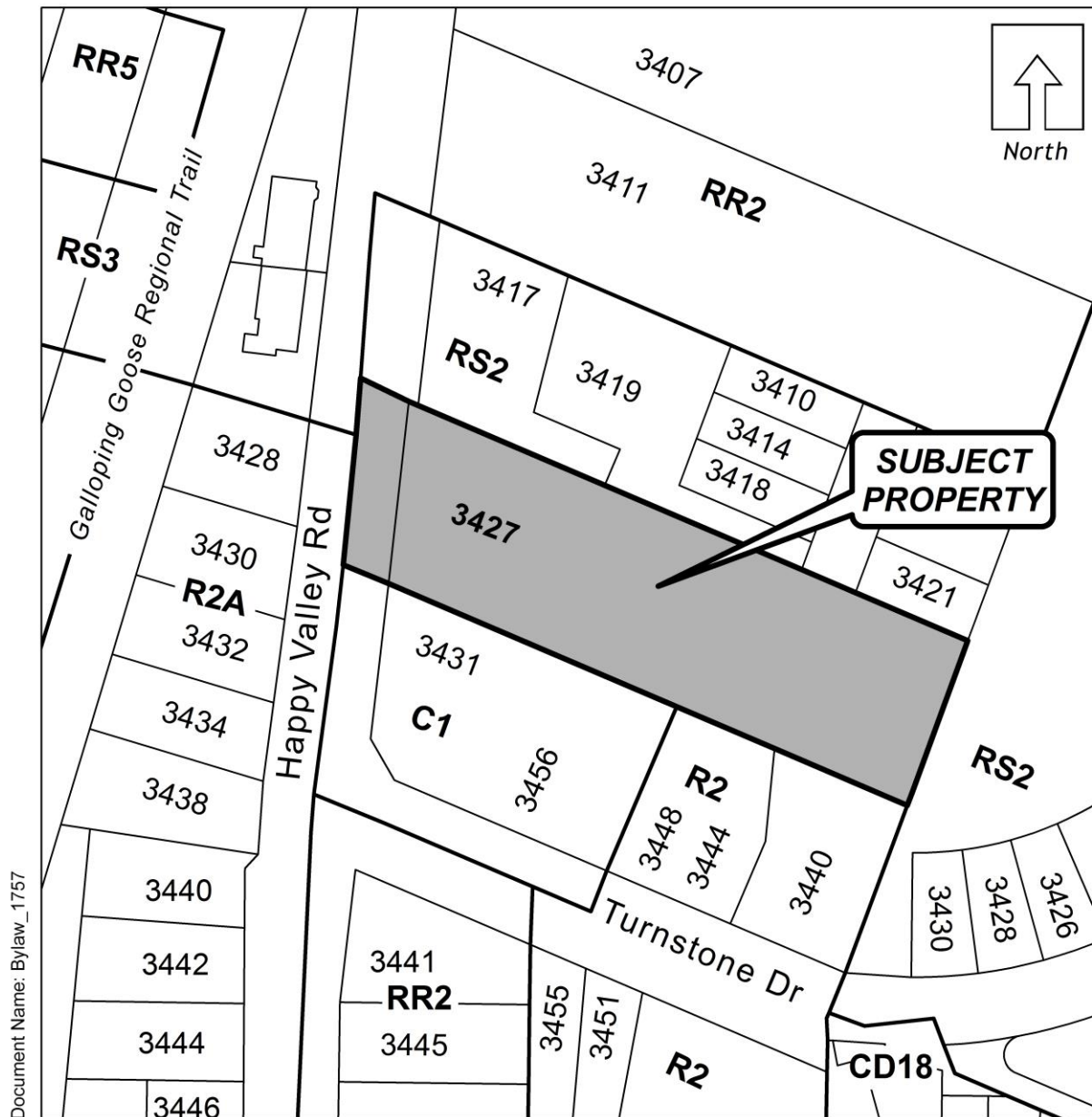
APPROVED BY THE MINISTRY OF TRANSPORTATION THIS day of , 2018.

ADOPTED this of, 2018.

MAYOR

(Certified Correct)
CORPORATE OFFICER

Schedule A



I HEREBY CERTIFY THIS TO BE A TRUE COPY
OF PLAN No. 1 AS DESCRIBED
IN SECTION A1 OF BYLAW No. 1757

MAYOR

ADOPTION: _____

CORPORATE OFFICER

Scale: N.T.S.

Last Revised: 12/6/2017

CITY OF LANGFORD
ROAD CLOSURE BYLAW NO. 1759, 2018
Road Closure Bylaw

WHEREAS, pursuant to Section 40 of the *Community Charter*, Council may, by bylaw, close a portion of a highway to traffic and remove the dedication of the highway, if prior to adopting the bylaw, Council publishes notices of its intention in a newspaper and provides an opportunity for persons who consider they are affected by the bylaw to make representations to Council;

AND WHEREAS the Council of the City of Langford deems it expedient to close to traffic and remove the dedication of highway of that portion of highway comprising a total of approximately **0.125** hectares (**0.309** acres), which was dedicated as highway by Plan **EPP45525**, shown outlined in a bold black line on the reference plan prepared by **Powell & Associates**, BCLS, a reduced copy of which is attached hereto (the “Road Closure Plan”);

AND WHEREAS notices of Council’s intention to close that portion of highway to traffic and to remove its dedication as highway were published in a newspaper and posted in the public notice posting place, and Council has provided an opportunity for persons who consider they are affected by the closure to make representations to Council;

AND WHEREAS the Council does not consider that the closure of the Closed Road will affect the transmission or distribution facilities or works of utility operators;

NOW THEREFORE the Council of the City of Langford, in open meeting assembled, enacts as follows:

1. Attached to this Bylaw as Schedule “A” and forming part of this Bylaw is a reduced copy of the reference plan of highway closure

(the “Road Closure Plan”).
2. The City hereby authorizes the closure to traffic and removal of highway dedication of:

the **0.125** hectares of highway, which was dedicated as highway by Plan EPP45525, labelled “Closed Road” on the Road Closure Plan

(the “Closed Road”).
3. On deposit of the Road Closure Plan and all other documentation for the closure of the Closed Road in the Victoria Land Title Office, the Closed Road is closed to public traffic, it shall cease to be public highway, and its dedication as a highway is cancelled.
4. The Mayor and the Chief Administrative Officer of the City are authorized to execute all deeds of land, plans and other documentation necessary to affect this road closure and disposition.

5. This Bylaw may be cited as “Road Closure Bylaw No. 1759 (Un Named Stub Road off of West Shore Parkway), 2018”.

READ A FIRST TIME this 8th day of January, 2018.

READ A SECOND TIME this 8th day of January, 2018.

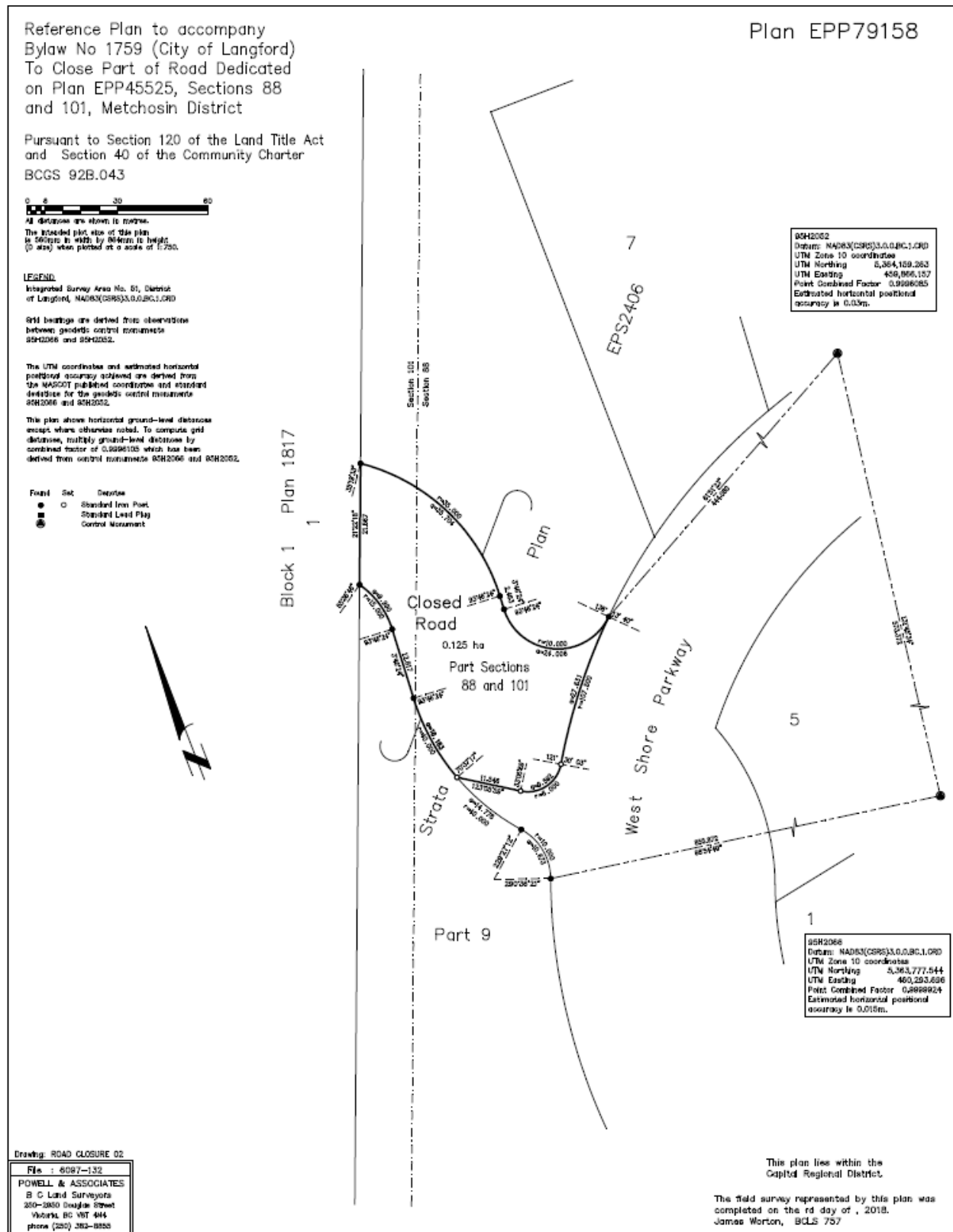
READ A THIRD TIME this 8th day of January, 2018.

ADOPTED this of _____, 2018.

MAYOR

(Certified Correct)
CHIEF ADMINISTRATIVE OFFICER

SCHEDULE "A" – Road Closure Plan





City of Langford

www.cityoflangford.ca

January 22nd, 2018

In-Camera Resolution

- a) That it is the opinion of Council that the public interest requires that persons other than members of Council and Officers be excluded from the meeting to consider confidential information regarding property disposal, potential litigation and the potential provision of a new service under Section 90 (1) (e) (g) and (k) of the Community Charter.
- b) That Council continues the meeting in closed session.