



City of Langford

www.cityoflangford.ca

Staff Report to Council

Date: May 22, 2018
Department: Planning
Subject: CD6A (Bear Mountain Comprehensive Development A) Zone

Background

On August 15th, 2016, Council adopted Bylaw No. 1623, which created the CD6A (Bear Mountain Comprehensive Development A) Zone and separated the remaining undeveloped portions of the Bear Mountain development from the CD6 (Bear Mountain Comprehensive Development) Zone.

Overall, lands within the CD6A Zone may develop to a total of 3,300 dwelling units (exclusive of secondary suites).

Lands within the CD6A Zone are subject to either a Local Service Area (LSA) Agreement for the construction of the Leigh Road Interchange, or Development Cost Charges (DCCs) for the construction of other regional benefitting roads.

On March 20th, 2018, Ecoasis Developments LLP applied to have the overall density of their portion of the lands within CD6A Zone allocated on a parcel by parcel basis.

This report is not meant to suggest that there is any defect in the LSA, nor the DCC program, or suggest in any way that these two programs need to be revised or amended.

Commentary

During preliminary analysis of Ecoasis's rezoning application, it was determined that the density expectations that formed the basis of the Road Interchange LSA are not consistent with the CD6A Zone. Furthermore, without density allocation within the CD6A zone on a parcel by parcel basis, density may be consumed on a first-come, first-served basis by obtaining a building permit. There is no obligation on the part of any property owners in the CD6A Zone to limit their development, notwithstanding the fact that the development characteristics of the property (as determined when the LSA was created) limit the contribution that each parcel is expected to make to the LSA.

Council can consider an amendment to the CD6A zone to allocate density throughout the CD6A zone and Section 463 of the *Local Government Act* allows Council to withhold a building permit where a Zoning Bylaw is in preparation, provided that there is a Council resolution to begin the process of rezoning. As a precautionary measure, Council may wish to direct staff to prepare a Bylaw to bring the CD6A Zone in line with the density characteristics/expectations in place when the LSA was created.

Allocating density now, through a Zoning Bylaw amendment, may necessitate increasing the overall density in the CD6A Zone to accommodate what was expected or anticipated in the LSA agreement.

Council may wish to allow incidental development (single building permits on individual lots created by subdivision) to proceed while this process of allocation is being considered.

Financial Implications

None.

Legal Implications

None. Section 463 of the *Local Government Act* indemnifies the City while this issue is sorted through.

Options

That Council:

1. Direct staff to prepare a bylaw to allocate density through the remaining undeveloped land within the CD6A Zone in a manner that is consistent with the characteristics/expectations that were in place when the Leigh Road LSA was created;
2. Allow incidental development (eg: building permits for single family homes on individual lots approved by subdivision) to proceed while this process of allocation continues;

OR

3. Take no action at this time with respect to density in the CD6A Zone.

Respectfully submitted,

Submitted by:	Matthew Baldwin, MCIP, RPP Director of Planning
Concurrence:	Chris Aubrey, Fire Chief
Concurrence:	Lorne Fletcher, Manager of Community Safety and Municipal Enforcement
Concurrence:	Cory Manton, Manager of Parks and Recreation
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

:mgsb