



City of Langford

# Staff Report to Sustainable Development Advisory Committee

**DATE:** Monday, September 9, 2024

**DEPARTMENT:** Planning

**APPLICATION NO.:** Z23-0017

**SUBJECT:** Bylaw No. 2203 – Application to Rezone 646 Atkins Avenue from One- and Two-Family Residential (R2) to Residential Small Lot 1 (RS1) to allow for the creation of 7 lots.

## EXECUTIVE SUMMARY:

Erich Schmitt has applied to rezone 646 Atkins Avenue from One- and Two-Family Residential (R2) to Residential Small Lot 1 (RS1) to allow for the creation of 7 lots. The applicant intends to split-zone the property by keeping the primary dwelling fronting Atkins as a remainder R2 lot and only rezoning the rear portion of the lot as RS1 to allow for the subdivision of 6 additional lots. The proposal includes a 3.05 m road dedication along Atkins Avenue to align with the properties to the west. The applicant is also requesting a setback variance for the existing dwelling to the newly proposed property lines.

## BACKGROUND:

### PREVIOUS APPLICATIONS

The subject property has had no previous applications.

**Table 1: Site Data**

<i>Applicant</i>	Erich Schmitt	
<i>Owner</i>	Erich and Harold Schmitt	
<i>Civic Address</i>	646 Atkins Avenue	
<i>Legal Description</i>	LOT 6, SECTION 72, ESQUIMALT DISTRICT, PLAN 9468	
<i>Size of Property</i>	2,450 m <sup>2</sup>	
<i>DP Areas</i>	None	
<i>Zoning</i>	Existing: R2 (One-and Two-Family Residential)	Proposed: RS1 (Residential Small Lot 1)
<i>OCP Designation</i>	Existing: Neighbourhood	Proposed: Neighbourhood

SITE AND SURROUNDING AREA

The subject property is primarily flat and contains three dwelling units in separate buildings. The primary dwelling is located at the front of the property along Atkins Avenue and two legally non-conforming detached suites are located at the rear of the site. The site also has many vehicles stored throughout the property, as shown on Figure 1 below. The site contains 12 bylaw protected trees (larger than a 20 cm dbh) which will be discussed later within this report. The site is located directly north of the E&N Trail, just east of Winstler Road. The south side of Atkins Avenue is well utilized by the public for street parking. The property is located on the edge of Langford’s City Centre, meaning it is within close walking distance of many shops and services as well as frequent transit options. The nearest park is Veterans Memorial Park, approximately 300 m away.

**Figure 1: 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>	R2 (One-and Two-Family Residential)	Single Family Homes and Duplexes
<i>East</i>	R2 (One-and Two-Family Residential)	Single Family Homes
<i>South</i>	CC1 (City Centre 1)	Apartment (6 storeys)
<i>West</i>	R2 (One-and Two-Family Residential)	Duplexes

**COMMENTARY:****DEVELOPMENT PROPOSAL**

The applicant is proposing to retain the existing single-family home as an R2 residential lot and to rezone the rear portion of the property to RS1 to allow for the subdivision of 6 small lots. As the minimum lot size permitted in the RS1 zone is 200 m<sup>2</sup>, the proposed new lots range in size from 202 m<sup>2</sup> to 265 m<sup>2</sup>. The remainder lot with the existing home will remain 413 m<sup>2</sup>, ensuring it meets the minimum lot size of 400 m<sup>2</sup> to remain within the R2 Zone. The applicant intends to construct a bare land strata road along the western property boundary, with the 6 new lots abutting the eastern property boundary. The proposed subdivision plan is attached to this report for reference.

646 Atkins Avenue is subject to the new Small Scale Multi-Unit Housing (SSMUH) regulations that the City was required to implement by the Provincial Government. The SSMUH regulations are intended to improve housing choices within traditional single-family neighbourhoods by allowing for greater housing diversity, affordability, and inclusivity within neighbourhoods. The SSMUH regulations apply to the R2 and RS1 zones, amongst many others within the City, and allow a minimum of 3 – 6 dwelling units on properties depending on the lot size and location. For 646 Atkins Avenue, the Provincial regulations allow for up to 3 dwelling units on lots that are under 280 m<sup>2</sup> and up to 6 dwelling units on lots that are over 281 m<sup>2</sup> as the property falls within 400 m of a prescribed transit stop. Given this, the applicant has proposed six new lots to fall under 280 m<sup>2</sup>, meaning they could have up to 3 dwelling units per lot. If future owners want to realize the maximum of 3 dwelling units, they could only do so through the following housing types:

1. Three townhouse units; or
2. A two-family dwelling (duplex) with a suite on one side only

Alternatively, a future owner could choose to pursue only two units by constructing a single-family home with one suite. Council may wish to note that as the proposed lots are within a bare land strata, no townhomes or duplexes will be able to be stratified as they will already be in a strata, and you cannot further stratify within a strata. As such, all six new lots would remain as six singular real estate entities and the additional units on each lot would become rental income for the owners.

Given the above, if Council were to proceed with this rezoning to allow the creation of six new lots, there could be a potential of up to 18 dwelling units created if all lot owners were to pursue the maximum of 3 units per lot.

If Council were to reject this rezoning application, the applicant would still have subdivision potential under the existing R2 zoning regulations. While they would have to maintain a minimum lot size of 400 m<sup>2</sup>, it's very likely that they could create an additional 3 or 4 lots. As these lots would be able to have up to 6 dwelling units each under the new SSMUH regulations, due to the lots being larger than 281 m<sup>2</sup> and within 400 m of a prescribed transit stop, there could be a potential of up to 18 – 24 dwelling units created on this site without the need for rezoning. Given this, Council may wish to proceed with this rezoning with the condition that they apply for subdivision using the plan attached to this report which ensures all the new lots remain under 280 m<sup>2</sup> and therefore will have a maximum density per lot of 3 dwelling units.

Even though the ultimate unit count could potentially be higher without a rezoning to the RS1 Zone, the applicant has conducted their own financial analysis and is keen to proceed with rezoning to smaller lots.

#### Parking

The Province has mandated that the City cannot apply on-site parking requirements to properties located within 400 m of a prescribed transit stop for lots over 281 m<sup>2</sup> that can support 6 units. While the Province allows the City to still apply parking requirements to lots 280 m<sup>2</sup> or less, like the subject proposal, the new City bylaws do not clarify this. As such, the current City bylaws state that there are no on-site parking requirements for any lot within 400 m of a prescribed transit stop, regardless of size. Council may wish to use this opportunity to amend the parking requirements so that no parking is only allowable on lots 281 m<sup>2</sup> or greater (as required by the Province), and lots less than this default to the 1 space per unit as otherwise required in restricted zones.

Should Council proceed with making this change, the applicant will be required to provide one on-site parking stall per dwelling unit, to be confirmed at the time of development permit.

Council may wish to note that the City is still allowed to require on-street parking as per Bylaw No. 1000. As such, the applicant is proposing 3 street parking spaces on their proposed bare-land strata road to be used by visitors. This meets the Bylaw No. 1000 requirements to create 0.5 street parking spaces per new lot created.

**Table 3: Proposal Data**

	<b>Permitted by R2 (Current Zoning)</b>	<b>Permitted by RS1 (Proposed Zoning)</b>
<i>Permitted Use</i>	Single Family, Duplex, Townhomes	Single Family, Duplex, Townhomes
<i>Min. Lot Size</i>	400 m <sup>2</sup>	200 m <sup>2</sup>
<i>Height</i>	11 m	11 m
<i>Site Coverage</i>	50%	50%, 60% if townhomes
<i>Front Yard Setback</i>	3m	3 m
<i>Interior Side Yard Setback</i>	1.5 m	1.5 m
<i>Exterior Side Yard Setback</i>	3 m	3 m
<i>Rear Yard Setback</i>	3 m	3 m
<i>Vehicle Parking Requirement</i>	None for lots over 281 m <sup>2</sup> 1 per dwelling unit on lots 280 m <sup>2</sup> and under*	None for lots over 281 m <sup>2</sup> 1 per dwelling unit on lots 280 m <sup>2</sup> and under*
<i>Bicycle Parking Requirement</i>	1 per dwelling unit	1 per dwelling unit

\*If Council proceeds with changing the parking requirements through the bylaw, as discussed earlier.

### Setback Variance

The applicant is also seeking a setback variance for the existing dwelling. As the applicant is proposing a bare land strata road running along the western property boundary, new property lines will be created around the existing home. The new bare land strata road makes the western property boundary of the existing home an exterior side lot line as it will now be abutting a road. As noted above, the typical setback required for an exterior side lot line is 3 m. Given that the applicant intends to keep the existing home, they are seeking a setback variance to 1.59 m. Council may wish to authorize the Director of Development Services to issue this setback variance within the development permit, subject to the variance applying to the existing home only. Should the applicant decide to remove the existing dwelling and rebuild a new home, the variance would no longer apply, and they would need to comply with the 3 m requirement.

### Trees

The applicant submitted an arborist report as part of their application that has identified that there are 12 bylaw protected trees located on the property. The report also identified 3 additional bylaw protected trees on other private properties that may be impacted by the proposal. Of the 15 trees assessed, it was found that 8 will need to be removed. Three such trees will need to be removed due to their existing poor health and structure, while 5 trees will need to be removed due to impacts from the proposed building envelopes, road location, and the removal of existing structures. The three trees on private property are to remain intact and are not subject to removal. Council may also wish to note that two of the seven trees to be retained fall within the area at the front of the property that will be dedicated to the City, so they will become boulevard trees under the City's purview. The arborist report has been attached to this report for reference.

Council may wish to note that the City does not require a landscape plan for single family or duplex development permits, only for townhomes. As the applicant does not know at this time what specific housing types will be constructed, no landscape plan has been submitted.

#### Park Dedication

In accordance with the Local Government Act section 510, a subdivision creating 3 or more additional lots is required to provide to the municipality not more than 5% parkland or equal land value. As there would not be a substantial area, nor would the park area achieve the requirements set out in Policy 4.6.2 of the OCP, that dedicated parkland must meet targets for active parkland, environmental protection or a commuter purpose, the Parks Department is requesting that the applicant provide compensation in the form of cash-in-lieu equal to 5% of the land value. This will be collected at the time of subdivision and put towards funding the acquisition of parkland in the future.

#### MULTI-MODAL NETWORK

##### FRONTAGE IMPROVEMENTS

The Director of Engineering has noted that full frontage requirements to Bylaw No. 1000 standards will be required. This includes but is not limited to a 2.2 m wide sidewalk, streetlighting, and boulevard. As noted previously, the Director of Engineering has requested a 3.05 m road dedication along the Atkins Avenue frontage to align with the frontages to the west of the site.

##### PEDESTRIAN, CYCLING AND MOTORIST NETWORK

The sidewalk connectivity along this section of Atkins Avenue is mostly non-existent, with only small patches completed. As noted above, the applicant will be responsible for constructing sidewalk along the frontage, which is approximately 27 m. There is a small patch of sidewalk directly to the east in front of 638 and 644 Atkins that will be connected to this sidewalk.

On the south side of Atkins Avenue is the E&N Trail which offers separated walking and cycling connection towards downtown Langford and the Station Avenue Arts and Culture District, as well as to downtown Victoria. Bike lanes also run along both sides of Atkins Avenue, parallel to the E&N Trail.

The site is within close walking distance to multiple bus routes including the Blink Rapidbus that provides service between Langford and downtown Victoria. The nearest Modo carshare vehicle is approximately 500 m away.

The application has been reviewed by the Ministry of Transportation and Infrastructure and they have noted that they have no concerns. A Traffic Impact Assessment was not required by the Director of Engineering.

## 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

A sewer main exists along Atkins Avenue and a connection from the lots to this main would be required. Any improvements, extensions, or modifications needed to the sewer main within the municipal road right-of-way will be completed by West Shore Environmental Services at the applicant's expense.

### FIRE ACCESS

As the proposed bare land strata road is less than 90 m in length, no cul de sac or two-point turnaround is required by City bylaws. It is anticipated that any fire truck needing access to the site would drive in and back out to leave. The applicant has elected to provide a small two-point turnaround in the location of their required street parking, which will provide greater functionality for residents, garbage and recycling trucks, etc., but is not designed to accommodate the Langford Ladder Truck.

### 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.

### NUISANCE EASEMENTS

Council may wish to require that the applicant provide a Section 219 Covenant registered on title prior to Bylaw Adoption that provides future landowners with the understanding that the existing rail corridor directly south of the site may be utilized for transportation uses in the future such as but not limited to rail, bus, or other, that these uses may result in general nuisances, and that future landowners understand and accept the potential disruption to their residential occupancy of the site.

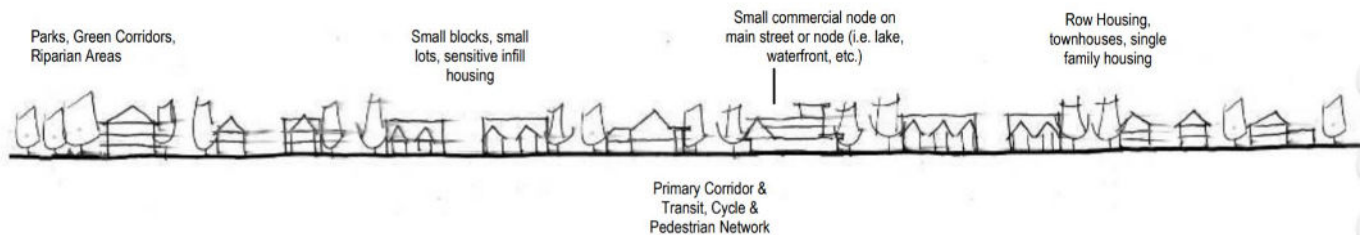
## COUNCIL POLICY

### OFFICIAL COMMUNITY PLAN

The Official Community Plan (OCP) Bylaw No. 1200 designated the subject properties as “Neighbourhood”, which is defined by the following text:

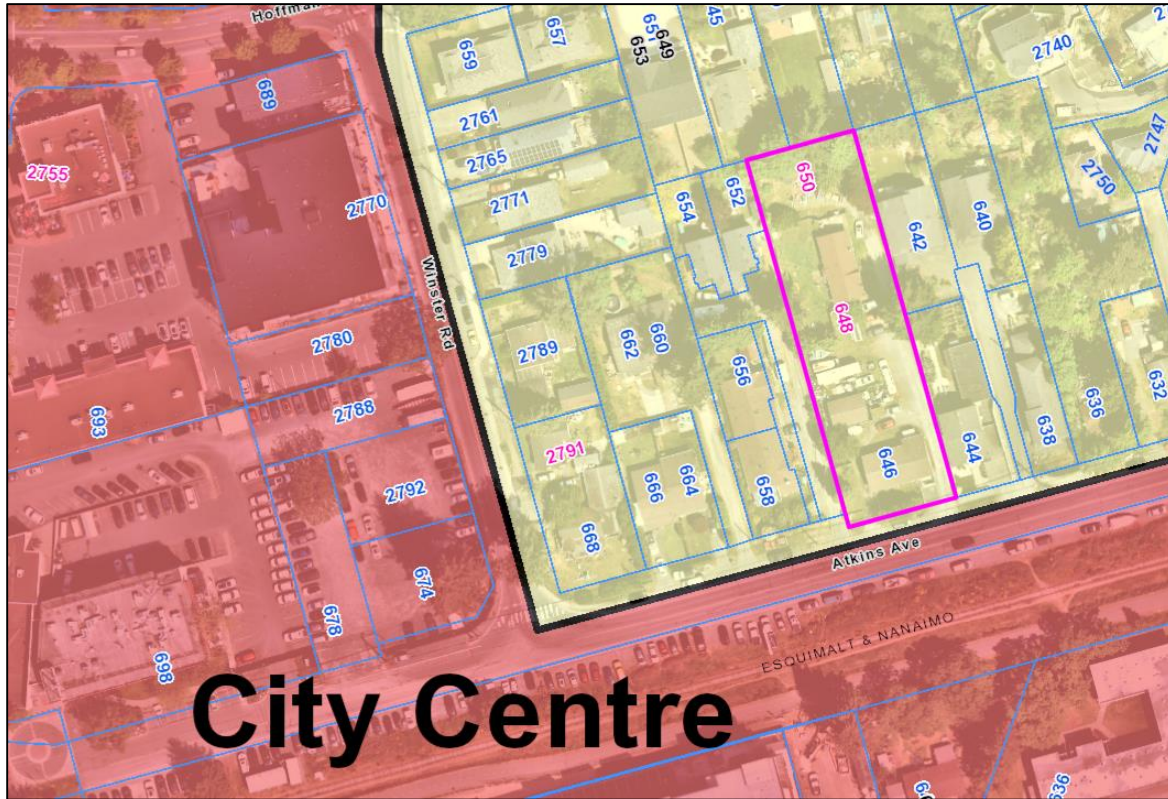
- Existing settled areas throughout the community predominantly located on the valley floor.
- Predominantly residential precinct that supports a range of low and medium density housing choices including secondary suites
- This area allows for residential and mixed-use commercial intensification of streets 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.

**Figure 1: A Concept for Neighbourhood Areas**



The Neighbourhood area also calls for small lot subdivision and clustered densification in established areas, which is achieved through this proposal. The property borders the City Centre Official Community Plan designation.

**Figure 3: Official Community Plan Map**



**DEVELOPMENT PERMIT AREAS**

The subject property does not fall within any environmental or hazardous development permit areas. A development permit for Form and Character will be required prior to subdivision approval, at which point the owner will need to identify which housing types will occur on which lots.

**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. No estimated total has been provided as it will depend on which housing type is constructed.

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

<b>Amenity Item</b>	<b>Per unit contribution</b>
<i>General Amenity Reserve Fund</i>	\$3,660 per townhouse unit
	\$3960 per single family lot or duplex half
<i>Affordable Housing Reserve Fund</i>	\$610 per townhouse unit
	\$660 per single family lot or duplex half

**Table 5 - Development Cost Charges**

<b>Development Cost Charge</b>	<b>Per Unit Contribution</b>
<i>Roads</i>	\$3,865 per dwelling unit
<i>Park Improvement</i>	\$1,948 per dwelling unit
<i>Park Acquisition</i>	\$130 per dwelling unit
<i>ISIF</i>	\$371.25 per dwelling unit
<i>ISA</i>	\$52 per lot created
<i>CRD Water</i>	Depends on housing typology and overall site density
<i>School Site Acquisition</i>	Depends on housing typology and overall site density
<b>TOTAL DCC's (estimated)</b>	<b>TBD</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 are incorporated into Bylaw No. 2203 and will be payable at the time of building permit/subdivision approval 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. Proceed with consideration of First, Second, and Third Reading of Bylaw No. 2203, following public notification, to amend the zoning designation of the properties located at 646 Atkins Avenue from the R2 Zone to the RS1 Zone subject to the following terms and conditions:
  - a. That the applicant provides, **as a bonus for increased density**, the following contributions per lot, **prior to the subdivision approval**:
    - i. \$610 per townhouse unit towards the Affordable Housing Reserve Fund
    - ii. \$660 per single family home or half duplex towards the Affordable Housing Reserve Fund;
    - iii. \$3,660 per townhouse unit towards the General Amenity Reserve Fund; and
    - iv. \$3960 per single family home or half duplex towards the General Amenity Reserve Fund.
  - b. That the applicant registers, **prior to Bylaw Adoption**, a road dedication plan, to the satisfaction of the Director of Engineering;
  - c. 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; 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 the applicant shall apply for subdivision utilizing the plan demonstrated to Council during the rezoning process, or one that is substantially similar demonstrating that all new lots created are below 280 m<sup>2</sup> in size;
- iv. Tree protection fencing shall be installed by the project arborist for all trees identified for retention in the arborist report prepared by SouthShore Forest Consultants dated July 19<sup>th</sup>, 2024, prior to the commencement of any work on site, and shall be maintained throughout the construction period;
- v. Acknowledgement that the site is in proximity to an existing rail corridor that may be utilized for transportation uses in the future such as, but not limited to rail, bus, or other, that these uses may result in general nuisances, and that the owner and all future owners assume all risk and annoyance of such nuisances;
- vi. That all concrete used on-site will utilize ready-mix concrete that meets or exceeds the weighted average Global Warming Potential targets based on Concrete BC Baseline (average) mix data, and that prior to the issuance of a Building Permit the applicant shall provide a Type III Environmental Product Declaration that is 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;

AND

2. Proceed with consideration of First, Second, and Third Reading of Bylaw No. 2203, following public notification, to amend the required parking for residential uses in Restricted Zones specified in Part 4 of Zoning Bylaw No. 300 as follows:

Residential uses on <b>Lots</b> within a <b>Restricted Zone</b> and shown on Schedule AA that have a <b>lot area</b> of 281 m <sup>2</sup> or greater	0 spaces <b>per dwelling unit</b>
Residential uses on <b>Lots</b> within a <b>Restricted Zone</b> that have a <b>lot area</b> of less than 281 m <sup>2</sup> developed	1 space <b>per dwelling unit</b>

AND

3. Authorize the Director of Development Services to issue a setback variance to the exterior side lot line of the existing dwelling unit only to 1.59 m instead of the required 3m.

**OR Option 2**

THAT the Sustainable Development Advisory Committee recommend that Council take no action with respect to this application to rezone 646 Atkins Avenue under Bylaw No. 2203 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**

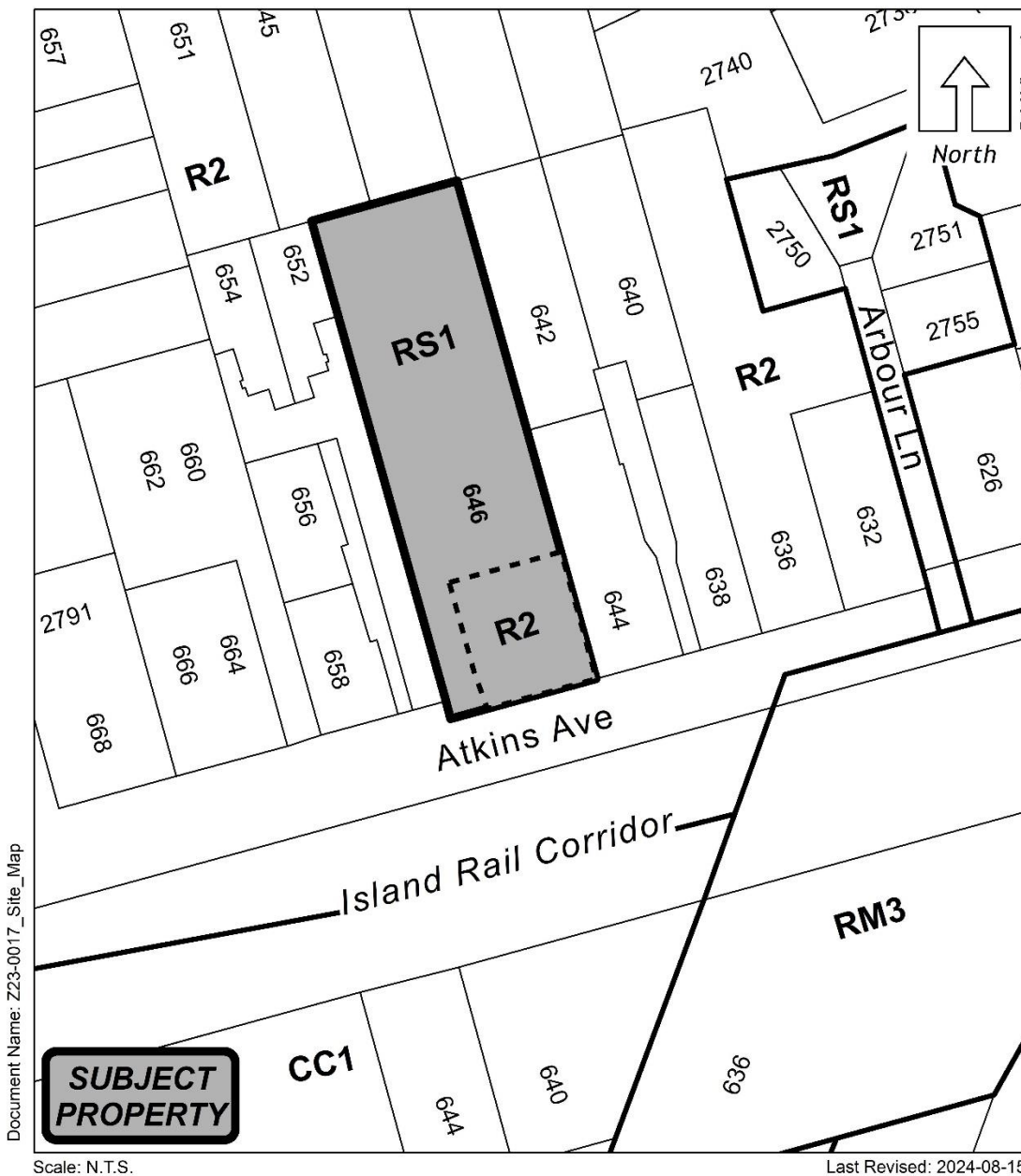
- Concurrence:** Matthew Baldwin, RPP, MCIP, Director of Development Services
- Concurrence:** Leah Stohmann, RPP, MCIP, Director of Community Planning and Climate Change
- Concurrence:** Melisa Miles, Manager of Legislative Services
- Concurrence:** Donna Petrie, Senior Manager of Communications & Economic Development
- Concurrence:** Yari Nielsen, Director of Parks, Recreation and Facilities
- Concurrence:** Katelyn Balzer, P.Eng., Director of Engineering and Public Works
- Concurrence:** Marie Watmough, Director of Legislative & Protective Services
- Concurrence:** Darren Kiedyk, Chief Administrative Officer

Attachments:

- Subdivision Plan
- Arborist Report
- Bylaw No. 2203

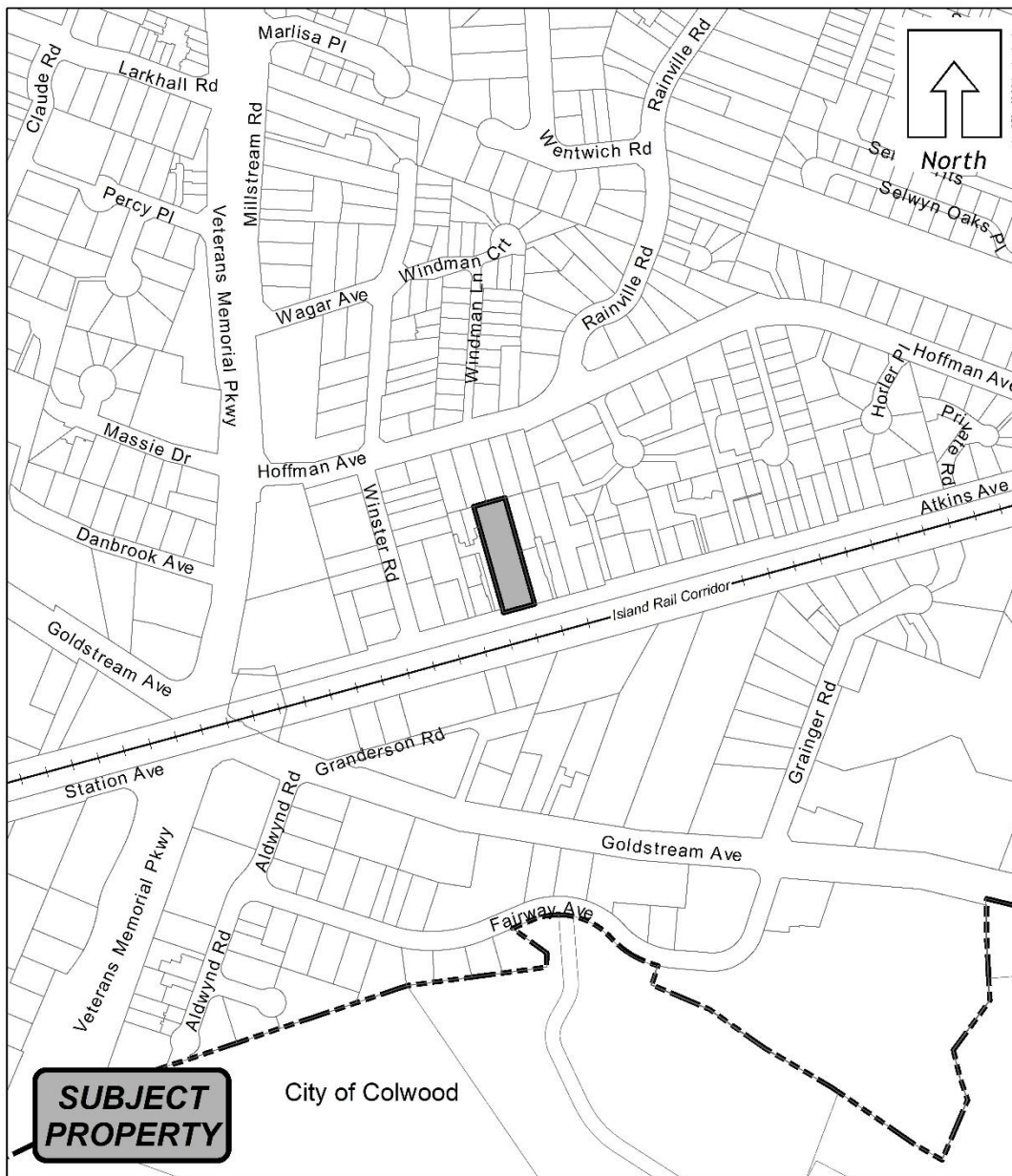
Appendix A – Site Map

**REZONING BYLAW AMENDMENT  
( Z23-0017 )  
646 Atkins Ave**



Appendix B – Location Map

**REZONING BYLAW AMENDMENT  
( Z23-0017 )  
646 Atkins Ave**







***SouthShore Forest Consultants***

Arborist Report

For

646 Atkins Avenue

Langford, BC

October 11, 2023

Revised July 19, 2024

Prepared for: Erich Schmitt – Residential Property Owner

Prepared by:

***SouthShore Forest Consultants***

## *SouthShore Forest Consultants*

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Insurance/ Seafirst Brentwood (CFC Underwriting – 5 Million Dollar Liability- Policy  
PSG03515712)

Incorporation # BC1069996 Ltd.

Business Licence – Intermunicipal - 00016808

### **RE: Arborist Assessment and Report.**

#### **Background/Scope of Work**

Southshore forest consultants were contacted by Residential Property Owner by the name of Erich Schmitt in regard to a proposed subdivision development project located at 646 Atkins Ave in the City of Langford (CoL). Within the proposal the client is seeking to subdivide the lot into six (6) residential lots. Three (3) existing structures are currently positioned on the lot with the front main dwelling and the rear most dwelling to remain.

The client, (Erich Schmitt) has requested that SouthShore Forest Consultants provide a Basic Visual Tree Assessment (VTA) for the site located at 646 Atkins Avenue. Under the current City of Langford Tree Preservation Bylaw, any tree over 20cm in DBH (diameter at 1.4m above grade) is identified as a protected tree. Under the client's current proposal fifteen (15) trees are protected under the existing Tree Preservation Bylaw.

SouthShore Forest Consultants agreed to complete the field assessment and provide the findings in an Arborist Report form.

#### **Methodology**

On October 10, 2023 Ray Praud, an associate consulting arborist and representative from R.A Consulting preformed the basic visual tree assessment and inventory of the property.

All trees are tagged and recorded on to a spread sheet, the consulting arborists also measured the diameter, species, impact during construction, and current condition of the trees. Trees are tagged in Series "100" - #101-115.

No form of invasive testing, excavation and or drilling were performed. The site was assessed form grade.

## Observations/Discussion

The site was observed to be a developed residential site along the North side of Atkins Ave. The site was observed to have an existing single family residential structure positioned on it with two (2) small secondary living spaces at the middle and rear of the property. The site was observed to be fairly level, a mix of both coniferous, deciduous and fruit trees.

Twelve (12) bylaw protected trees are positioned on the subject property while three (3) are positioned on private property. All fifteen (15) trees are protected under the current City of Langford Tree Preservation Bylaw. Three (3) bylaw protected trees are proposed for removal due to poor health and structure (#104, 111 & 109). One (1) bylaw protected tree is proposed for removal due to driveway impacts (#110). Two (2) Bylaw protected trees are proposed for removal due to their location within building footprint (#106 & 108). Two bylaw protected trees #102 & 103 are proposed for removal due to high impacts from existing building removal. Trees #112-113 will be protected and retain with ownership of these trees granted to the City of Langford for proposed road dedication.

## Tree Dynamics

### Tree Dynamics & Terms & Meanings

DBH - Diameter Breast Height – Calculated at 1.4 m above grade on tree stem.

PRZ – Protected Root Zone, (calculated at a ratio of 1:18) 50cm DBH = 9m PRZ.

CRZ – Critical Root Zone, (calculated at a ratio of 1:9) 60cm DBH = 5m CRZ

50cm DBH = 5m CRZ

Condition – P= Poor, F=Fair, G=Good

Footprint = Excavation edge along the outside of building envelope on grade. Over excavation is expected and can be up to a 1.5m distance from the outside of the proposed footprint edge.

Impact Zone = Constructive area, estimated at 0-1.5m outside the proposed building footprint.

Impact Levels – L (Low), M (Moderate), H (High)

## Appendix “A”- Tree Inventory.

R.A. Consulting/Southshore Forest Consultants									
Appendix A - Tree Inventory/Hazard Ratings Summary									
646 Atkins Ave, Langford BC.									
Date: Oct 10-2023					Conditions during TTS inventory visits: 10°C, Rain, 5km/h E Breeze				
Tag #	Species	DBH (cm)	PRZ (m)	Health/Structure	Bylaw Protected	Action	Inventory Update	Observations	Impact Comments
101	Big Leaf Maple	75		FP/FP	Yes	Remove		Ivy Covered. Basal stem grafted to building. 5cm dead wood. Epicormic.	Removal of existing building will require removal of tree.
102	Big Leaf Maple	80		FP/FP	Yes	Remove		Ivy Covered. Basal stem .1m from building foundation. 5cm dead wood. Epicormic.	Removal of existing building will require removal of tree.
103	Douglas Fir	Est 70		F/F	Yes	Retain		Private tree Protect and Retain. Dead wood. Over extended limbs. Tag on fence.	Low impact.
104	Big Leaf Maple	45		P/P	Yes	Remove		Sweeping stem at grade. Dead wood. Heavily ivy covered. Crown dieback. Poor live crown ratio.	Remove due to poor health and structure.
105	Cherry	23		FP/FP	Yes	Retain		Hardware attached to stem. Basal wound 1m AG.	Low impact.
106	Cherry	21		FP/P	Yes	Remove		Hardware attached to stem. One horizontal scaffold has advanced decay and sloughing bark.	Remove due to proximity to building footprint.
107	Plum	27		FP/FP	Yes	Retain		Heavily epicormic. Hardware attached to stem. Multi stem with poor angle of attachments.	Low impact.
108	Pear	26/20		FP/F	Yes	Remove		2 stems 1 tag. In building footprint. Rust foliar disease.	Remove due to location in building footprint.
109	Cherry	65		FP/P	Yes	Remove		Large cavity under root crown. Root plate lift.	Remove due to Driveway impacts and <b>High Hazard Rating.</b>
110	Juniper	36		F/F	Yes	Remove		Utility Interference. Driveway impacts.	Remove due to driveway impacts.
111	Juniper	32		P/P	Yes	Remove		Root compaction. Previously topped. Dead	Fire Hazard. Dead.
112	Juniper	21		FP/FP	Yes	Retain		Multi stem .5m AG. Included bark.	Proposed road dedication to City of Langford.
113	Juniper	22		FP/FP	Yes	Retain		Multi stem .5m AG. Included bark.	Proposed road dedication to City of Langford.
114	Douglas Fir	est 60		FP/F	Yes	Retain		Private tree Protect and Retain. 1m from property line. 10cm dead wood.	Low impact.
115	Douglas Fir	est 70		FP/F	Yes	Retain		Private tree Protect and Retain. 1m from property line. 10cm dead wood. Multi top with narrow angles of attachment.	Low impact.



Michael Butcher  
SouthShore Forest Consultants  
BSc Forestry  
ISA-ON-0583A  
TRAQ# 1401  
Certified Tree Appraiser #1434

**Ray Praud**

**R.A. Consulting.**

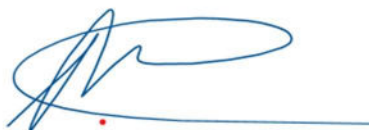
**Rdp.arbor@gmail.com**

**250-661-7079**

**Certified Utility Arborist: 19-TT-20**

**ISA/TRAQ Certified Arborist- PN-9461A**

**Wildlife Danger Tree Assessor: 8302**



#### ATTACHMENTS

- Appendix A – Tree Inventory
- Appendix B - Tree Site Map/Site Photos

*Although the site has been assessed, trees in the landscape are dynamic and changes could occur. This report is a static representation of the site during our assessment on October 10, 2023.*

## Arborist Disclosure Statement:

Arborists are tree specialists who use their education, training and experience to examine trees, recommend measures to enhance the beauty and health of trees, and attempt to reduce the risks.

Arborists cannot detect every condition that could possibly lead to structural failure of a tree. Trees are living organisms that fail in ways we do not fully understand. Conditions are often hidden within trees and below the ground.

Arborists cannot guarantee that the tree will be healthy and safe under all circumstances, or for a specific period of time. Trees are dynamic specimens, not static. Changes in conditions, including the environment are unknown.

Remedial treatments cannot be guaranteed.

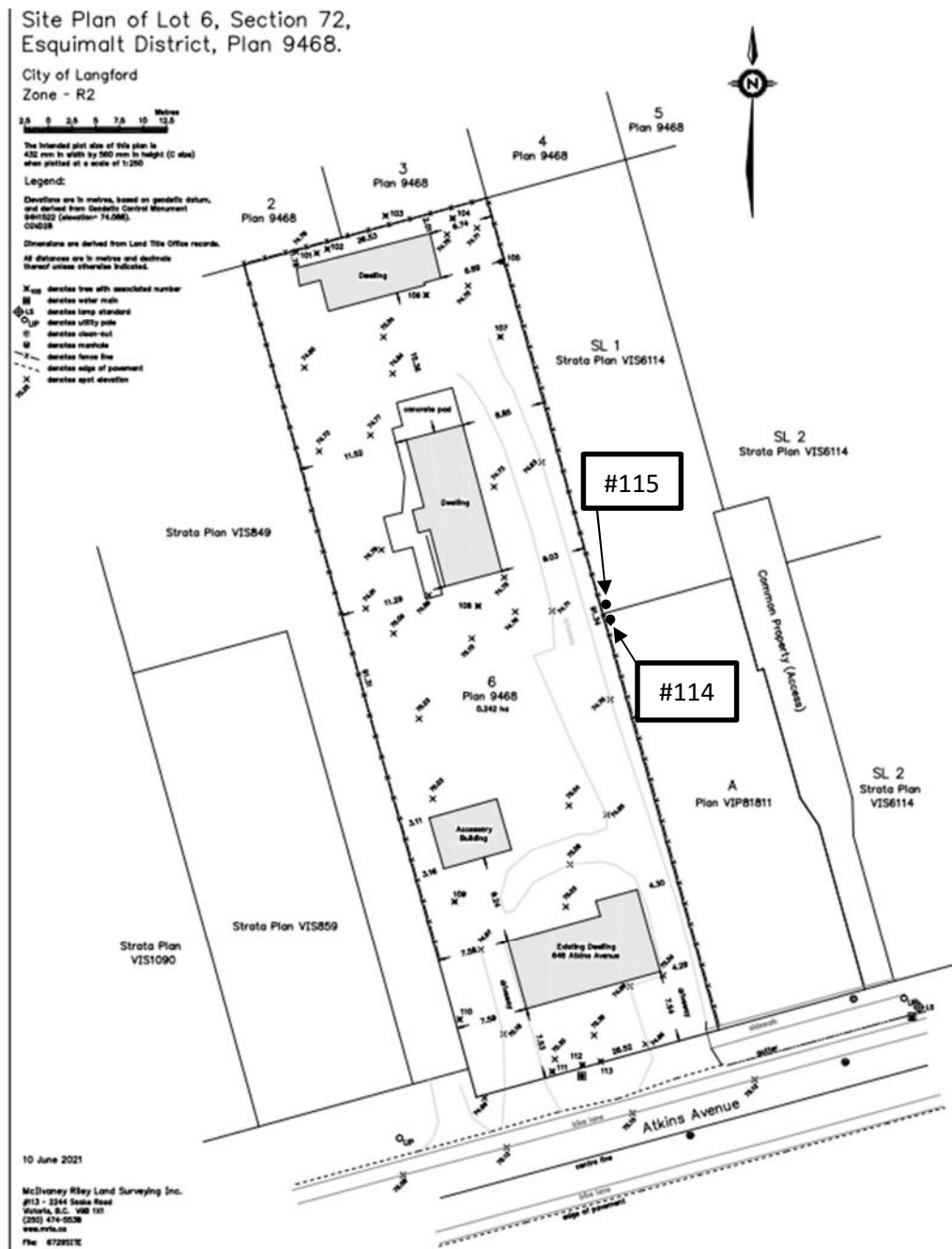
Trees can be managed, but they cannot be controlled. The only way to eliminate all risk is to eliminate all trees.

## Tree Assessment Condition Rating

- Good - A tree specimen which is exempt defects, branch dieback, moderate insect and fungal identification. This tree has evenly distributed branching, trunk development and flare. The root zone is undisturbed, leaf, bud and flower production and elongation are normal for its distribution.
- Fair - A tree specimen which has minor defects, branch dieback, previous limb failure, identification of cavities and insect, or fungal identification. This tree has multiple (2-3) primary stem attachments; previous utility pruning, callus growth and poor wound wood development. Minor root girdling, soil heave and identifiable mechanical damage to the root flare or root zone.
- Poor- A tree specimen where 30-40% of the canopy is identifiably dead, large dead primary branching, limited leaf production, bud development and stem elongation. Limb loss or failure, and heavy storm damage leading to uneven weight distribution. Large pockets of decay, multiple cavities, heavy insect and fungal infection. Root crown damage or mechanical severing of roots. Root plate shifting, heavy lean and movement of soil.
- Dead- Tree has been observed to be dead with no leaf, foliar and bud development. No stump sprouts and root suckers are present.

### Appendix “B” – Site Photos

Figure #1a – Tree Site Map – 646 Atkins Avenue. Langford, BC.  
Current site map.

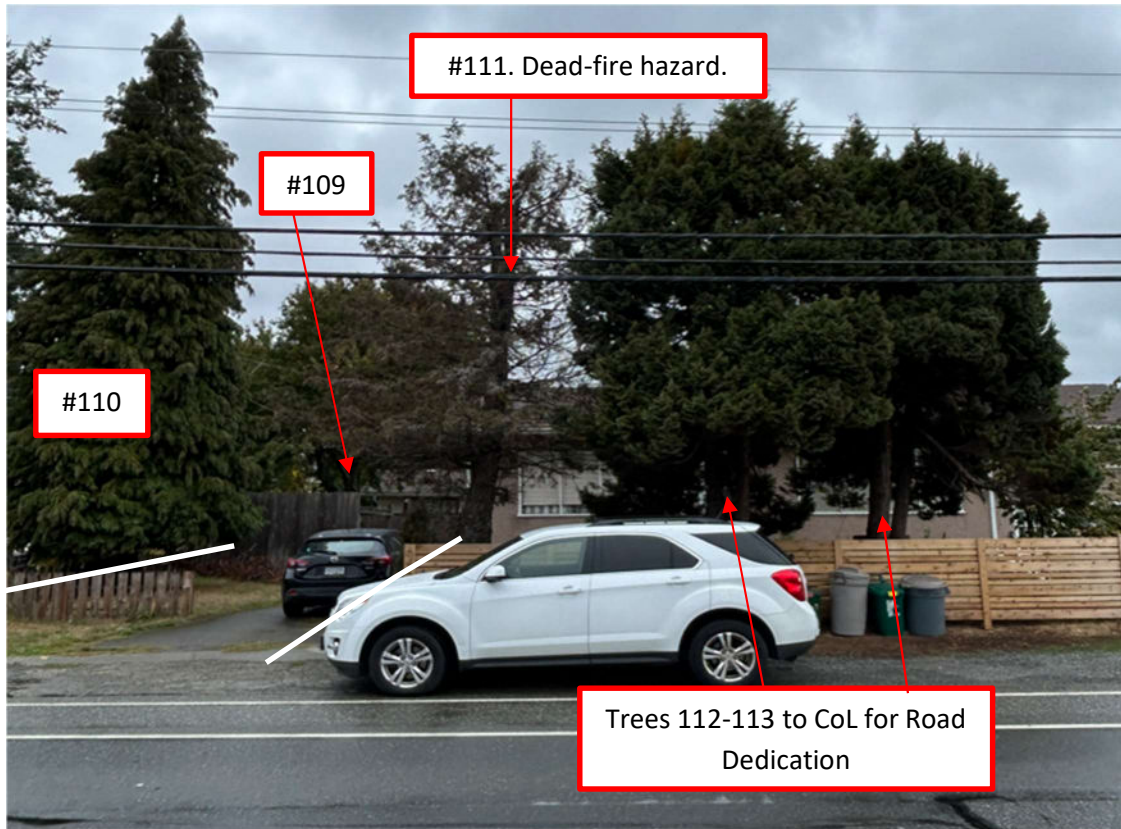




**Figure #2 –Site Photo-** NW view of driveway. Atkins Ave frontage.



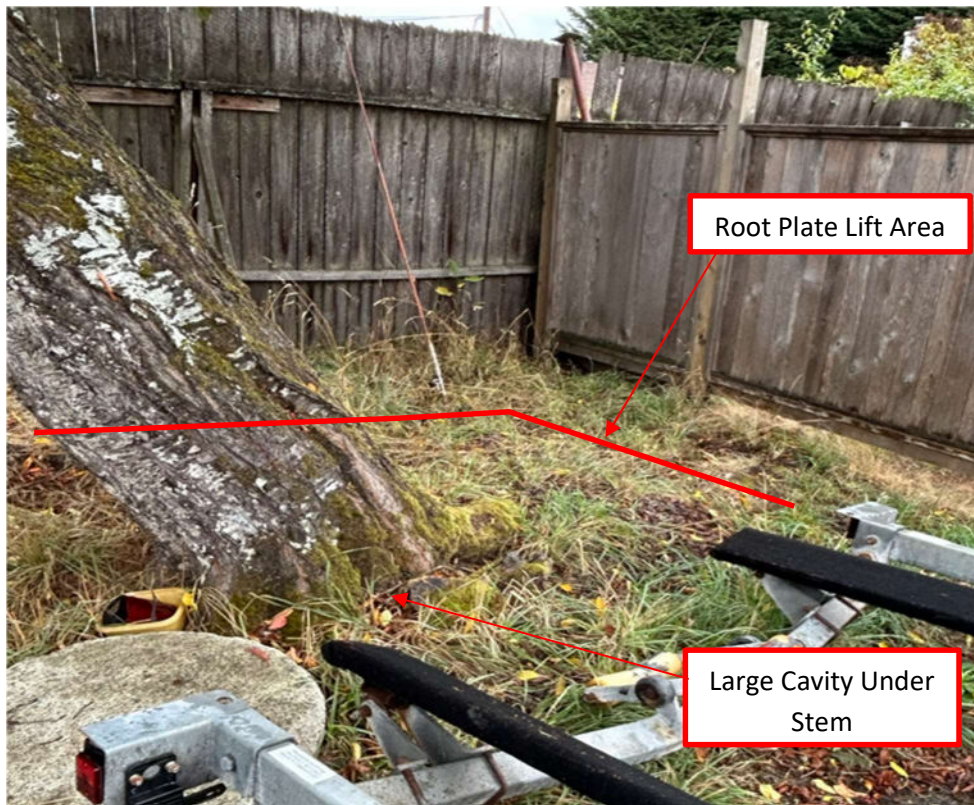
**Figure #3- Site Photo-** Atkins Ave frontage. White line indicates proposed driveway.



**Figure #4- Site Photo- West facing from driveway.**



**Figure #5- Site Photo- Tree #109 poor rooting structure. Showing root plate lift and cavity. Dangerous-Remove.**



**Figure #6- Site Photo-** North facing to back of lot showing trees #101-105.



**Figure #7 Site Photo-** SE facing. Private trees #114 & 115.



## CITY OF LANGFORD BYLAW NO. 2203

### 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 Table 1 of Section 4.01.01, within Section "*I. Residential*", the following:

Residential uses on <b>Lots</b> within a <b>Restricted Zone</b> and shown on Schedule AA, in Bylaw No. 300 ( <i>Bylaw No. 2183</i> )	0 spaces <b>per dwelling unit</b>
--	-----------------------------------

2. By adding to table Table 1 of Section 4.01.01, within Section "*I. Residential*", the following:

Residential uses on <b>Lots</b> within a <b>Restricted Zone</b> and shown on Schedule AA that have a <b>lot area</b> of 281 m <sup>2</sup> or greater	0 spaces <b>per dwelling unit</b>
Residential uses on <b>Lots</b> within a <b>Restricted Zone</b> that have a <b>lot area</b> of less than 281 m <sup>2</sup> developed	1 space <b>per dwelling unit</b>

3. By deleting from the R2 (One- and Two-Family Residential) Zone and adding to the RS1 (Residential Small Lot) Zone legally described as Lot 6, Section 72, Esquimalt District, Plan 9468, PID No. 004-508-602 (646 Atkins Avenue); as shown shaded on Schedule A attached to and forming part of this Bylaw.

4. 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
RS1	2203	<ul style="list-style-type: none"> <li>Lot 6, Section 72, Esquimalt District, Plan 9468, PID No. 004-508-602 (646 Atkins Ave)</li> </ul>	a) \$610 per townhouse unit towards the Affordable Housing Reserve Fund  b) \$660 per single family home or half duplex towards the Affordable Housing Reserve Fund;  c) \$3,660 per townhouse unit towards the General Amenity Reserve Fund; and  d) \$3960 per single family home or half duplex towards the General Amenity Reserve Fund.	No

B. This Bylaw may be cited for all purposes as "Langford Zoning Bylaw, Amendment No. 738 (646 Atkins Avenue), Bylaw No. 2203, 2024".

READ A FIRST TIME this day of , 2024.

READ A SECOND TIME this day of , 2024.

READ A THIRD TIME this day of , 2024.

APPROVED BY THE MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE this day of , 2024

ADOPTED this day of , 2024.

---

PRESIDING COUNCIL MEMBER

---

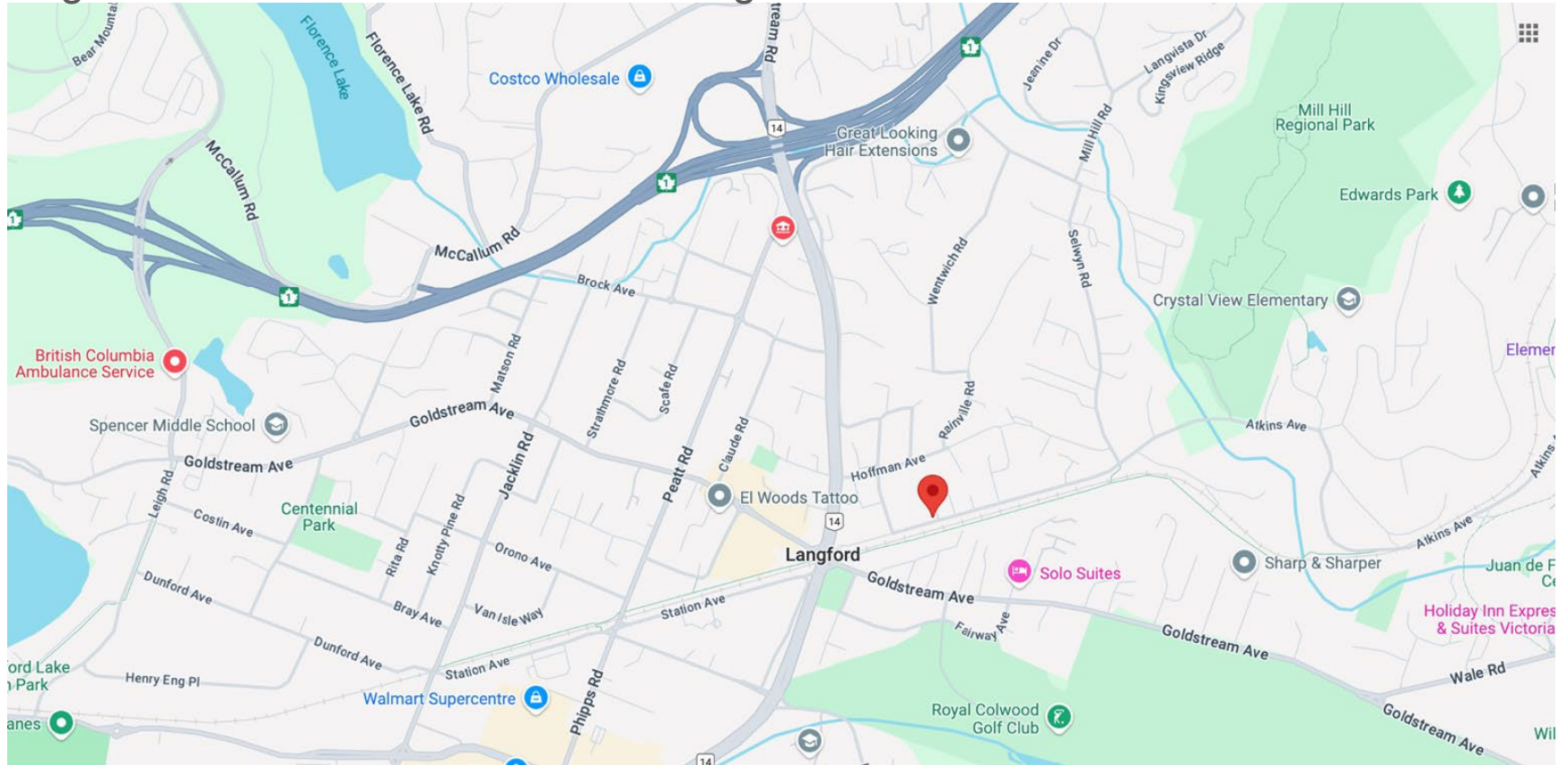
CORPORATE OFFICER

**Schedule A**



# 646 Atkins Ave Rezoning Application

Fig 1. General Location - Central Langford







# Proposal: "What we want to do"

- 1) Carve off front house (R2, freehold)
- 2) Rezone "back" from R2 to RS1
- 3) Subdivide back into 6 RS1 lots (land strata)



Sketch Plan of Proposed Bare Land Strata  
Subdivision of Part of Lot 6, Section 72,  
Esquimalt District, Plan 9468.

Page 76 of 93

City of Langford

0 2.0 4.0 6.0 8.0 10.0 Meters

The intended plot size of this plan is  
430 m<sup>2</sup> in width by 363 m in height (0.156 ha)  
when plotted at a scale of 1:200.

Legend:

Dimensions are derived from Land Title Office records.

All approvals are in metric and decimals.

Round unless otherwise specified.

Current Zone= R2

Proposed Zone= RS1

Parcel boundaries as shown are derived from Land Title Office records  
only and are subject to appropriate boundary re-establishment prior to  
use for legal survey purposes. This document is for illustrative  
purposes only. This document shall not be used for the  
re-establishment of property boundaries.

McInveny Riley Land Surveying Inc. accepts no responsibility or  
liability for any changes that may be suffered by a third party  
as a result of any decisions made, or actions taken based on  
this document.

1 August 2024

McInveny Riley Land Surveying Inc.  
#113 - 2244 Sooke Road  
Victoria, B.C. V9B 1J8  
(250) 414-0706  
www.mrls.ca  
File: 87225067-10-48



# What it might look like

Example of similar RS1 density:  
Foxwood Plc, Happy Valley area



# Comparison to current R2 zoning

- No change in maximum allowed density
- No change in building heights or setbacks

Under current R2 zoning can subdivide “back area” into 3 lots with max 6 units/lot

Under proposed RS1 zoning can subdivide back into 6 lots with max 3 units/lot

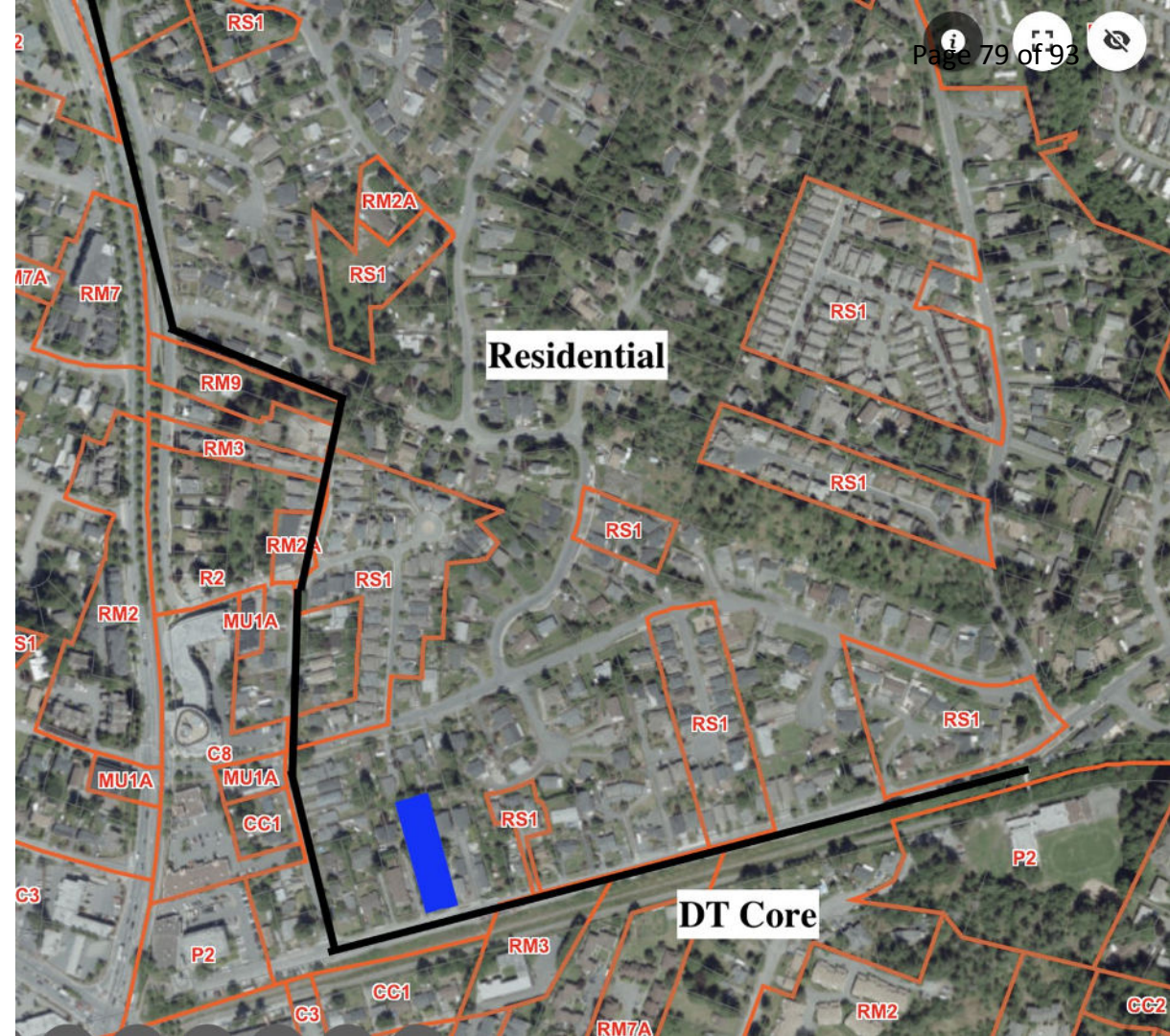
R2: 3 lots x 6 units = 18 units max density

RS1: 6 lots x 3 units = 18 units max density

There is already lots of precedent for RS1 zoning in this area / neighbourhood

Residential neighbourhood where high density DT core transitions into lower density residential

Moderate density RS1 seems suitable in keeping with character of neighbourhood



# Community Engagement

Canvassed local neighbourhood, gave 3 page printout, spoke in person with most

- Generally neutral to supportive
- Neighbours further away more neutral/indifferent
- Direct neighbours more engaged
- “Figured it was a matter of time until it was developed, glad it’s not high-rise condos”
- Main concerns: tall buildings (don’t want high-rise condos), any loss of privacy, construction noise (temporary), traffic not really a concern
- Fence: concerned about loss of privacy, fence is currently 8 ft, needs replacing, bylaw is 5.9 ft, want to retain height, ask for variance?

Area canvassed door to door



# Conclusion

Current property has lots of bare land - not highest and best use

Development will add much needed “missing middle” housing supply

In keeping with character of neighbourhood

Already precedent for RS1 zoning in neighbourhood

No changes to density, heights or setbacks

6 small lots will be more affordable than 3 big ones

More likely to be owner-occupied vs potential for 3 x 6-plex apartments (rentals)

Most neighbours generally supportive or neutral, mainly glad not high-rise condos

Thank you!

