



Staff Report
to
Council

Date: May 4, 2020
Department: Planning
Subject: Bylaw No. 1885 – Application to rezone 1100 McCallum Road and 2780 Spencer Road to a new Mixed-Use Employment Zone (MUE3) to Allow for Residential, Multi-Family, and Commercial Developments.

Background

Council gave Bylaw No. 1885 first reading at their Regular Meeting held February 18th, 2020. This Bylaw is also captured by the resolution passed at Council’s April 6th 2020 Regular Meeting to waive public hearings for all zoning amendment bylaws that are compliant with the OCP designation while the COVID-19 pandemic is ongoing.

Commentary

Staff confirm all Notices and Advertisements have been placed in accordance with Section 467 of the *Local Government Act*.

All correspondence received with regards to this bylaw is attached to this report for Council’s information.

Options

That Council:

1. Give second and third readings to Bylaw No. 1885;

Or

2. Take no action at this time with respect to Bylaw No. 1885.

Respectfully submitted,

Submitted by:	Leah Stohmann, MCIP, RPP, Deputy Director of Planning-Email Approved
Concurrence:	Adriana Proton, Manager of Legislative Services-Email Approved
Concurrence:	Matthew Baldwin, MCIP, RPP Director of Planning-Email Approved
Concurrence:	Darren Kiedyk, Chief Administrative Officer-Email Approved

**CITY OF LANGFORD
BYLAW NO. 1885**

**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 adding to Section 1.01 the following text, ‘ **“Automobile Dealership”** means a retail outlet that carries an automobile manufacturer’s product line through a contract with the automobile manufacturer. The automobile dealership may sell and service automobiles and parts associate with automobiles.’
 2. By adding as Section 6.53C that text attached as Schedule B;
 3. By replacing Section 6(f) of Appendix G with the text attached as Schedule C;
 4. By replacing Section 10(e) of Appendix H with the text attached as Schedule C;
 5. By adding to the MUE3 (Mixed Use Employment 3) Zone the property legally described as LOT A SECTION 99 ESQUIMALT DISTRICT PLAN EPP21818, PID No. 029-066-361 (1100 McCallum Rd) and THAT PART OF SECTION 99, ESQUIMALT DISTRICT, BOUNDED AS FOLLOWS: ON THE NORTH BY THE SOUTH BOUNDARY OF PLAN 990 RW; ON THE EAST BY THE EASTERLY BOUNDARY OF SAID SECTION; ON THE SOUTH BY THE NORTHERLY BOUNDARIES OF PLAN 6546 AND 8988; AND ON THE WEST BY THE WESTERLY BOUNDARY OF SAID SECTION EXCEPT THAT PART IN PLAN VIP62431 AND VIP84622, PID No. 004-333-233 (2780 Spencer Rd) in the portions as shown shaded on Plan No. 1 attached to and forming part of this Bylaw.
 6. By adding as Schedule AM the map attached as Schedule D.
- B. This Bylaw may be cited for all purposes as “Langford Zoning Bylaw, Amendment No. 583, (1100 McCallum Rd and 2780 Spencer Rd), Bylaw No. 1885, 2020”.

READ A FIRST TIME this 18th day of February, 2020.

PUBLIC HEARING WAIVED BY RESOLUTION OF COUNCIL this 6th day of April, 2020.

READ A SECOND TIME this day of, 2020.

READ A THIRD TIME this day of, 2020.

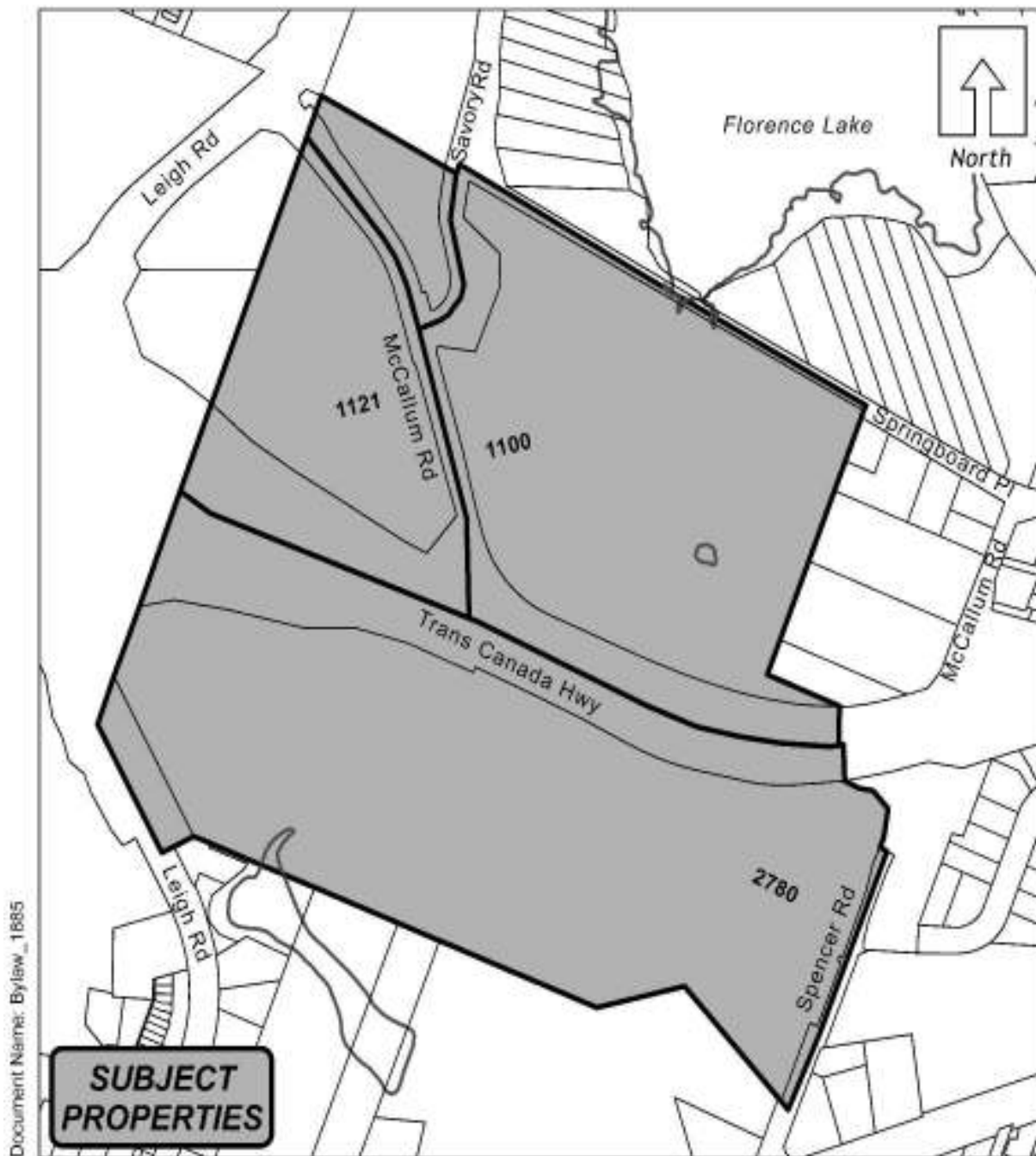
APPROVED BY THE MINISTRY OF TRANSPORTATION THIS day of , 2020.

ADOPTED this of, 2020.

MAYOR

(Certified Correct)
CORPORATE OFFICER

Schedule A



Document Name: Bylaw_1885

I HEREBY CERTIFY THIS TO BE A TRUE COPY
OF PLAN No. 1 AS DESCRIBED
IN SECTION A1 OF BYLAW No. 1885

MAYOR

ADOPTION: _____

CORPORATE OFFICER

Scale: N.T.S.

Last Revised: 1/16/2020

Schedule B

Section 6.53C – Mixed-Use Employment 3 (MUE3) Zone

(Bylaw 1885)

6.53C.01 Permitted Uses

- (1) With those portions of lands identified as 'Area 1' on the zone map attached as Schedule 'AM', the following uses and no others are permitted:

Restaurant, Retail and Other Service Commercial Uses

- (a) **Animal hospital** in enclosed buildings;
- (b) **Auction**;
- (c) **Automobile dealership**;
- (d) **Business support service**;
- (e) **Car wash**;
- (f) **Equipment sales, service, repair and rental, minor**
- (g) **Film production studio**;
- (h) **Financial institution**;
- (i) **Catering**;
- (j) **Gasoline service station**;
- (k) **Fitness centre**;
- (l) **Household equipment and appliance service and repair**;
- (m) **Hotel**;
- (n) **Licensed premises**;
- (o) **Liquor store**;
- (p) **Medical clinic**;
- (q) **Office**;
- (r) **Personal service establishment**;
- (s) **Pet daycare**;
- (t) **Restaurants, drive-through**;
- (u) **Retail store**;

General Uses

- (v) **Accessory** buildings and uses;
- (w) **Accessory unenclosed storage**;
- (x) **Temporary construction and real estate marketing office**;
- (y) Uses permitted by Section 3.01 of this Bylaw;

Business and Technology Uses

- (z) **Electronics sales, service and manufacturing;**
- (aa) **Research and development facility**
- (bb) **Educational, Cultural and Recreational Uses**
- (cc) **Community care facility;**
- (dd) **Cultural facility;**
- (ee) **Group daycare** subject to Section 3.26.02;
- (ff) **Recreation facility, indoor;**
- (gg) **Recreation facility, outdoor;**
- (hh) **School;**

Residential Uses

- (ii) **Apartment;**
 - (jj) **Assisted living;**
 - (kk) **Caretaker dwelling unit;**
 - (ll) **Home occupation** subject to Section 3.09;
 - (mm) **Townhouse;** and
- (a) **Manufactured home and modular housing**, subject to the Manufactured Home Park (RH1) Zone.
- (2) Within those portions of the lands identified as 'Area 2' on the zone map attached as Schedule 'AM', the following uses and no other are permitted:
- (b) **Apartment;**
 - (c) **Townhouse;**
 - (d) **Manufactured home and modular housing**, subject to the Manufactured Home Park (RH1) Zone.
- (3) Notwithstanding Section 6.53C.01(2), those portions of the lands identified as 'Area 2' on the zone map attached as Schedule 'AM' are permitted the uses under Section 6.53C.01(1) if no **manufactured home or modular housing** exists within any lot of 'Area 2'.

6.53C.02 Height of Principal Use Buildings

No **townhouse** may exceed a height of three storeys.

6.53C.03 Setbacks

- (1) No building or structure may be located:
- (a) Within 2.0m (6.5 ft) of any lot line that adjoins a highway;

(b) Within 6.0m (20 ft) of any lot line that adjoins a lot in a Residential or Multiple Residential Zone;

(2) Notwithstanding subsection 6.53C.03(1), no **townhouse** may be located:

- (a) Within 3.0m (9.8 ft) of any front lot line, nor within 5.5m (18 ft) of a portion of a building comprising of an attached garage;
- (b) Within 5.5m (18 ft) of any rear lot line;
- (c) Within 1.5m (5.0 ft) of an interior side lot line;
- (d) Within 3.5m (11.5 ft) of any exterior side lot line.

6.53C.04 Density of Development

(1) There may not be any development on any parcel of land that does not have access to a highway, and where a parcel of land has access to a highway there may not be more than one residential **dwelling unit** or more than 150m² of non-residential gross floor area in the Mixed-Use Employment 3 (MUE3) Zone;

(2) Notwithstanding subsection 6.53C.04(1), there may be more than one residential **dwelling unit**, and more than 150m² of non-residential gross floor area in Area 1 of Schedule 'AM' for the Mixed-Use Employment 3 (MUE3) Zone, if the owner of the land proposed to be built upon has:

- (a) Provided to the City of Langford, to the satisfaction of Council;
 - i. A minimum of 4.0 hectares of land dedication within in a form and location to the satisfaction of the Director of Planning; and
 - ii. Land dedication, or the registration of a non-disturbance covenant, of any additional lands within Area 1 of Schedule 'AM' that a qualified professional determines needs to be protected, as per their analysis of the development permit areas.

(3) Notwithstanding subsection 6.53C.04(1), there may be more than one residential dwelling unit, and more than 150m² of non-residential gross floor area in Area 2 of Schedule 'AM' for the Mixed-Use Employment 3 (MUE3) Zone, if the owner of the land proposed to be built upon has:

- (a) Provided, to the satisfaction of Council;
 - i. An amenity building with a minimum gross floor area of 93m² (1,000 ft²) within the mobile home park for the use of the residents of the mobile home park, designed to the satisfaction of the Director of Planning; and
 - ii. Land dedication, or the registration of a non-disturbance covenant, of any additional lands within Area 2 of Schedule 'AM' that a qualified professional determines needs to be protected, as per their analysis of the development permit areas.

(b) Maintained a minimum of 40 **manufactured home** or **modular housing** units within Area 2.

(4) Under no circumstances may the density of development within the MUE3 zone exceed a floor area ratio of 6:1;

- (5) Notwithstanding Section 6.53C.04(3), there may not be more than 78 manufactured or modular homes within 'Area 2' on the zone map attached as Schedule 'AM' nor may the density of any non-manufactured/modular homes exceed 50 units per hectare (20 units per acre) without implementing recommendations of a Traffic Impact Assessment that ensures vehicular movements are at an acceptable level of operational capacity.

6.53C.05 General

The relevant regulations of Part 3 of this Bylaw apply.

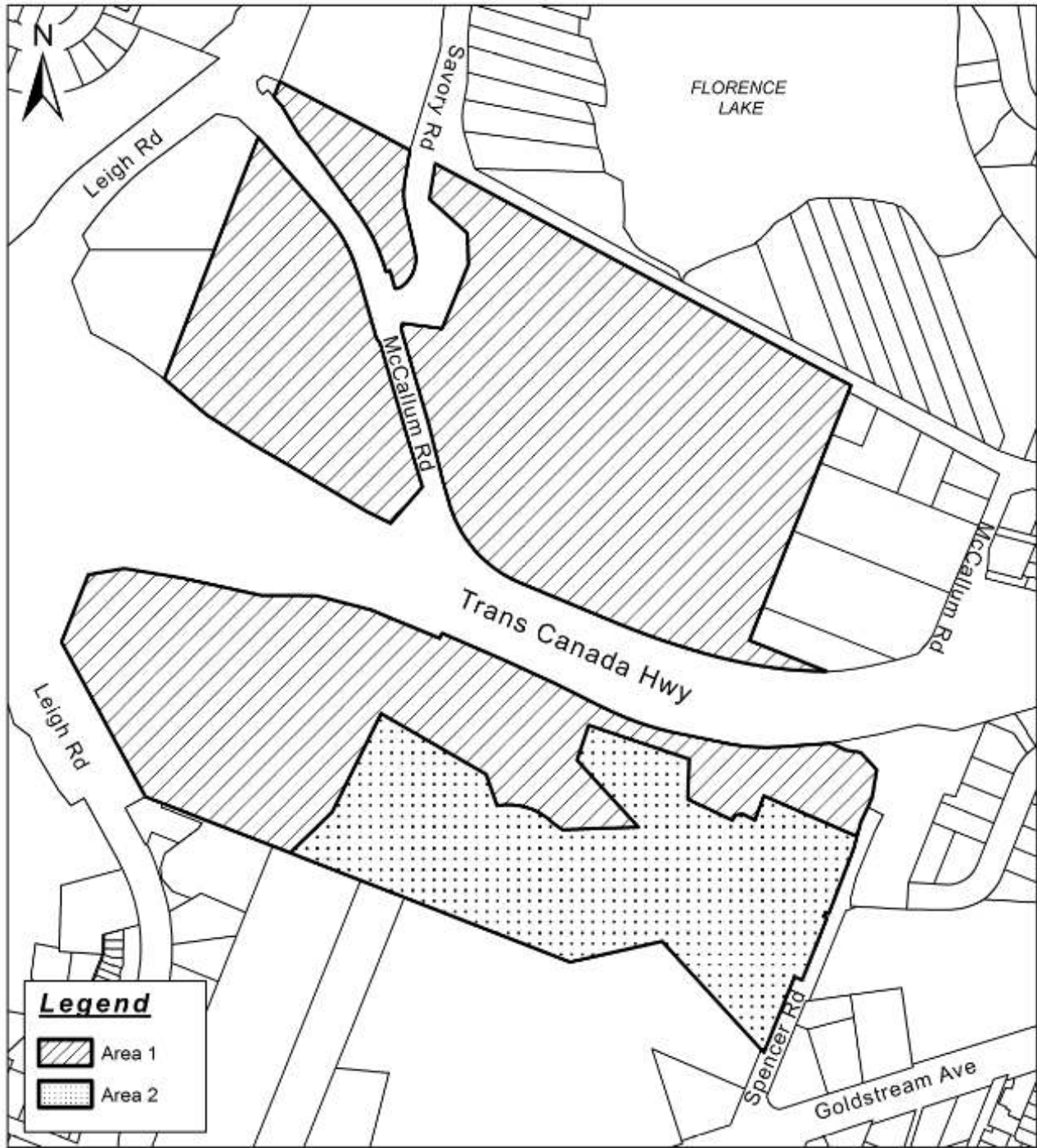
Schedule C

For those lands located within the Mixed-Use Employment 2 (MUE2) Zone and the Mixed-Use Employment 3 (MUE3) Zone, the following additional landscaping provisions shall apply:

- I. A continuous landscape and screening area not less than 2.0 m wide shall be provided along the developed portion of each lot which abuts a highway. The landscaping shall have a height of not less than 1.5 m and may include a decorative fence.
- II. A continuous landscape and screening area not less than 2.5 m wide containing a decorative fence not less than 1.8 m in height together with decorative planting must be provided along the developed portion of each lot which abuts a property in a Residential or Multiple Residential Zone, except where the boundary between the two lots is separated by a highway. This landscape and screening area may be interrupted at boulevard crossings, or to provide necessary pedestrian access for entering a building or for viewing shop windows.

Schedule D

SCHEDULE "AM" TO BYLAW No. 300



West Shore RCMP cleared of wrongdoing

Suicidal man needed 82 staples after being bit in the leg by police dog

Kendra Crighton
News Staff

The West Shore RCMP has been cleared of any wrongdoing in relation to a suicidal man who was seriously injured after being subdued by a conducted energy weapon (CEW) and police service dog last spring.

Because the man's injuries occurred in connection to the actions of police, the Independent Investigation Office (IIO) was notified to investigate whether "unauthorized or excessive force was used by any officer."

A report released on April 7 states the officers

involved were faced with a situation that was "bound to give rise to a very high-risk assessment," but they exercised restraint by trying, over an extended period of time, to take the man into custody without harm.

Just after 1:30 a.m. on April 22, 2019, RCMP received two 911 calls — one from a man's mother who told police her son was suicidal and was planning to jump off a bridge, the second was from the man himself stating that he was planning to inject himself with a syringe filled with gasoline. RCMP were able to locate the man through cell phone 'pings' in an area of grass and shrubs off the Island Highway in View Royal.

The man was holding a backpack with one hand inside and told the officer to "back up." Two officers, accompanied by a police service dog, engaged the man in conversation for several minutes — audio recordings of this interaction corroborated witness officer statements provided to the IIO.

As RCMP worked to de-escalated the situation and get the man to a hospital, he told the officers that they would have to "shoot or tase" him.

Officers noted the man continued to have one hand in the backpack and was "twitching as if he was about to pull something from the bag," states the report. One of the responding officers drew his firearm and told the man "it doesn't have to be like this," to which the man responded stating that he had tried to kill himself five times and this was "the way [he] want[ed] it."

As more officers arrived on the scene, the man walked toward the nearby Upper Gorge waterway, threatening to jump in.

One of the officers told the IIO that it became clear that the man was determined to have police officers use their weapons on him. The man continued to taunt police, demanding they use their "Tasers" on him and stating that if he moved his hand — which was still in the backpack — quickly, the police would "launch

something" at him.

Finally, the man told the officers he was "gonna make one of [them] do something." He stepped toward officers and motioned as if he was going to withdraw his hand quickly from the backpack.

At that point, one of the officers discharged his CEW while another officer sent the police dog after the man.

The man fell to the ground and police were able to put him in handcuffs. The police dog bit him in the leg, which would later require 82 staples to close.

The IIO report states the man presented a credible threat by keeping his hand in the backpack and "pretending at any moment he would draw and use some sort of weapon."

"Through his own, quite deliberate actions, [the man] placed himself at risk of the use by police of lethal force," states the report, adding that it was fortunate less lethal options were available for the officers to use.

West Shore podcast highlights COVID-19 pandemic and local businesses

A West Shore podcast highlights local businesses as well as how the COVID-19 pandemic is affecting the Western Communities.

The Westshore Business Podcast, co-hosted by local business development professional John Juricic and marketing and communications specialist Kelly Darwin, originally set out

to highlight local businesses and the many unique things they're doing in the communities. Darwin, who is on the board of the Westshore Chamber of Commerce and is a new member liaison, said there were many new businesses he met with that he felt people didn't know much about.

"We just wanted to talk about the

good things happening on the West Shore," Darwin said.


Recently, the COVID-19 pandemic came to the forefront of conversations so Darwin and Juricic decided to pivot.

"We asked if we could use our platform to get the message out to people about what they should be doing and

what Langford is doing," Darwin said. The pair are now recording a podcast every second day with Langford Mayor Stew Young and are getting other politicians and businesses involved.

"Whatever the challenge is, you always hear Langford coming up with the common sense plan to deal with

it," Darwin said. They plan to loop the local business angle back into the podcast by checking in on the unique ways they are dealing with the COVID-19 pandemic. The podcast has episodes dating back to March of last year with the most recent ones touching on COVID-19. They can be found online at westshorebusiness.com.



City of Langford
www.cityoflangford.ca

NOTICE OF PUBLIC HEARING BEING WAIVED

NOTICE is hereby given that pursuant to Section 464(2) of the *Local Government Act*, the Council of the City of Langford has waived the holding of a Public Hearing for Bylaw No. 1882 (being a Bylaw to amend Zoning Bylaw No. 300 for the City of Langford).

Proposal: The purpose of Bylaw No. 1882 is to amend the City of Langford Zoning Bylaw No. 300 by amending the zone of the property located at 936 Jenkins Avenue and a portion of 919 Rex Road from One- and Two-Family Residential (R2) to Residential Small Lot 3 (RS3) to allow for a small lot subdivision of 4 single-family homes.


Applicant: Diane Larkey

Location: The land that is the subject of Bylaw No. 1882 is located at 936 Jenkins Ave and a portion of 919 Rex Rd as shown shaded below.

Council will be considering Bylaw No. 1882 at the following meeting:

Date: Monday, 4 May 2020
Time: 5:30 pm

COPIES of the complete Bylaw and other material that the Council may consider in relation to the Bylaw may be viewed online at: www.cityoflangford.ca/, or made available upon request by emailing to planning@langford.ca or in writing to Langford City Hall, 2nd Floor, 877 Goldstream Avenue, Langford, BC, V9B 2X8 for the duration of the pandemic emergency. Please contact David Sametz in the Planning Department at 250-478-7882 or email dsametz@langford.ca with any questions on this Bylaw.



Braden Hutchins
Director of Corporate Services



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www.cityoflangford.ca

NOTICE OF PUBLIC HEARING BEING WAIVED

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Proposal: The purpose of Bylaw No. 1885 is to amend the City of Langford Zoning Bylaw No. 300 by amending the zoning of the property located at 1100 McCallum Road and 2780 Spencer Road from One- and Two-Family Residential (R2), Rural Residential 4 (RR4), Mobile Home Park (RH1), Tourist Commercial – Motel (CT1), and Comprehensive Development – South Skirt Mountain (CD12) to a new Mixed-Use Employment 3 (MUE3) zone. This would allow for the future development of these lands to residential, multi-family, and commercial uses.

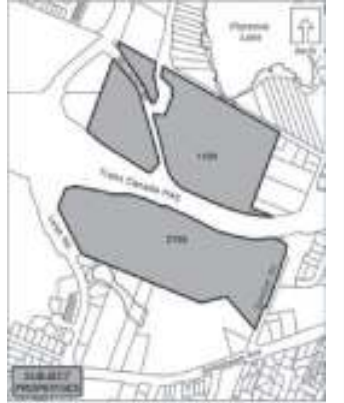
Applicant: Niall Paltiel, Keycorp Consulting Ltd.

Location: The lands that are the subject of Bylaw No. 1885 are located at 1100 McCallum Rd and 2780 Spencer Rd as shown shaded on the plan.

Council will be considering Bylaw No. 1885 at the following meeting:

Date: Monday, 4 May 2020
Time: 5:30 pm

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Braden Hutchins
Director of Corporate Services

Canada Day festivities cancelled

Canada Day festivities are among the latest cancelled events in Greater Victoria. Both the City of Victoria and Town of View Royal cancelled events marking the nation's birthday.

On April 19, Provincial Health Officer Dr. Bonnie Henry said there will be no gatherings this summer. That includes Victoria's popular Canada Day festivities that draw thousands to the Inner Harbour and Ship Point.

"The federal government has said they are going to hold a national virtual Canada Day celebration this year. We are in contact with the Minister of Canadian

Heritage to see what is planned and how we can participate and support this event," said Victoria Mayor Lisa Helps during an April 21 update from city hall.

The event with live music all day and ending in a fireworks show tends to draw between 45,000 and 55,000 people on July 1.

Canada Day festivities in View Royal are also cancelled and attributed to the ban on gatherings of 50 or more due to COVID-19. Unfortunately, that includes the fourth annual Canada Day event hosted by the Victoria Highland Games Association and Volunteer View Royal, which is sponsored by the Town of View Royal.



Thousands of participants wearing red or white T-shirts gather on the Legislature lawns in Victoria to create a living Canadian flag for Canada Day festivities. (Ken Kelly/DVBA)

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Colwood reopens most public garbage cans

Shalu Mehta
News Staff

Some public Colwood garbage cans have been opened again for use just a few weeks after the City closed them to help limit the spread of COVID-19.

At the end of March, Colwood issued a public statement reminding residents to take their garbage home with them when a bin is closed. Some residents, however, weren't getting the message as many bags of dog poop and litter were spotted in a Colwood park on March 30.

At the time, Colwood Mayor Rob Martin told Black Press Media that the City chose to close garbage cans in order to protect city staff and lower the risk of transmission. However, with the amount of litter, workers were then forced to "engage with every single poo bag or piece of trash individually" in order to pick it up.

Martin said if the people littering "truly understood the danger they were putting others in, they wouldn't be doing it."

He also added that it was clear to the City that some strategic garbage

cans needed to be re-opened due to all of the litter.

On April 24, a tweet from the City of Colwood included a photograph of an open garbage can at a park along with the caption "Signs of the times." A notice on the garbage can reminds residents to stay home, keep physical distance and wash hands.

Martin re-tweeted it and said most Colwood garbage cans have been re-opened. He called it "a small step towards normalcy."

-With files from Kendra Crighton shalu.mehta@blackpress.ca

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NOTICE OF PUBLIC HEARING BEING WAIVED

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Proposal: The purpose of Bylaw No. 1885 is to amend the City of Langford Zoning Bylaw No. 300 by amending the zoning of the property located at 1100 McCallum Road and 2780 Spencer Road from One- and Two-Family Residential (R2), Rural Residential 4 (RR4), Mobile Home Park (RH1), Tourist Commercial – Motel (CT1), and Comprehensive Development – South Skirt Mountain (CD12) to a new Mixed-Use Employment 3 (MUE3) zone. This would allow for the future development of these lands to residential, multi-family, and commercial uses.

Applicant: Niall Paltiel, Keycorp Consulting Ltd.


Location: The lands that are the subject of Bylaw No. 1885 are located at 1100 McCallum Rd and 2780 Spencer Rd as shown shaded on the plan.

Council will be considering Bylaw No. 1885 at the following meeting:
Date: Monday, 4 May 2020
Time: 5:30 pm

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Braden Hutchins
 Director of Corporate Services



 **City of Langford**
www.cityoflangford.ca

NOTICE OF PUBLIC HEARING

The City of Langford has received an application to amend the Official Community Plan Bylaw No. 1200 and Zoning Bylaw No. 300 by means of Bylaw Nos. 1889 and 1890. All persons who believe that their interest in property is affected by the Bylaws will be afforded an opportunity to be heard or to present written submissions respecting matters contained in the Bylaws at a Public Hearing to be held in the **CITY OF LANGFORD COUNCIL CHAMBERS, Third Floor, 877 Goldstream Avenue, Langford, BC, on Monday, 27 April 2020, at 5:30 pm.** Please be advised that no representations may be received by Council after the close of the Public Hearing and any submissions made to Council, whether orally or in writing, will form part of a public record.

Proposal: The purpose of Bylaw No. 1889 is to amend the City of Langford Official Community Plan Bylaw No. 1200 by amending the designation of the property located at 1336 Langshire Road that is the subject of Bylaw No. 1889 from the Hillside or Shoreline designation and adding to the Business or Light Industrial Zone to allow for commercial and light industrial uses to be developed on the property.

The purpose of Bylaw No. 1890 is to amend the City of Langford Zoning Bylaw No. 300 by amending the zoning designation of the land from the RR4 (Rural Residential 4) Zone to the BP2A (Business Park 2A – Sooke Road West) Zone to allow for commercial and light industrial uses to be developed on the property.

Applicant: Rachael Sansom

Location: The land that is the subject of Bylaw Nos. 1889 and 1890 is 1336 Langshire Rd as shown shaded on the plan.

COPIES of the complete Bylaws and other material that the Council may consider in relation to the Bylaws may be viewed online at: www.cityoflangford.ca/, or made available upon request by emailing to planning@langford.ca or in writing to Langford City Hall, 2nd Floor, 877 Goldstream Avenue, Langford, BC, V9B 2X8 for the duration of the pandemic emergency. Please contact Lauren Mattiussi in the Planning Department at 250-478-7882 or at lmattiussi@langford.ca with any questions on these Bylaws.

Braden Hutchins
 Director of Corporate Services

