CITY OF LANGFORD

REGULAR MEETING OF COUNCIL

Monday, March 20th, 2017 @ 5:30 p.m.

Council Chambers, 3rd Floor, 877 Goldstream Avenue

AGENDA

		Page
1.	**CALL TO ORDER**	
2.	**APPROVAL OF THE AGENDA**	
3.	**ADOPTION OF MINUTES**	
	a) Minutes of the Regular Meeting of Council – March 6th, 2017	**3**
4.	**PRESENTATION**	
	a) Expression of Appreciation Re: To Lisa Burrows for the Donation of a Quilt Square to the City in Celebration of the Capital Regional District's 50th Anniversary	
5.	**PUBLIC PARTICIPATION**	
6.	**DEVELOPMENT VARIANCE PERMIT**	
	a) DVP17-0001 – 881 Klahanie Dr	**15**
	b) DVP17-0002 – 2000 Hannington Rd	**18**
7.	**REPORTS**	
	a) Application for a Variance of the Rear Building Setback Regulations to Permit an Existing Single Family Dwelling and a Rear Deck at 2267 Nicklaus Drive (DVP17-0003)	
	- **Staff Report (Planning)**	**21**
	b) Capital District Regional Growth Strategy Acceptance and Non-Acceptance of Bylaw 4017	
	- **Staff Report (Planning)**	**35**
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	d) Application for Development Variance Permit to Allow a Development with a Septic Tank and a Water Holding Tank at 2023 Millstream Road (DVP17-0004)	
	- **Staff Report (Planning)**	**112**

e) Approving Officer Appointments **120**
- **Staff Report (Administration)**

f) Revenue Anticipation Borrowing Bylaw – Bylaw No. 1683 **122**
- **Staff Report (Finance)**

g) Closure and Disposition of a Portion of McCallum Road **123**
- **Staff Report (Land Development)**

8. BYLAWS

a) BYLAW NO. 1671 **126**
"Road Closure Bylaw No. 1671, 2017".
(FIRST, SECOND AND THIRD READINGS)

b) BYLAW NO. 1679
"Langford Zoning Bylaw, Amendment No. 475, (592 Phelps Ave), 2017". **129**
(FIRST READING)

c) BYLAW NO. 1681 **132**
"Langford Zoning Bylaw, Amendment No. 477, (2762 and 2768 Claude Rd), 2017".
(FIRST READING)

d) BYLAW NO. 1683 **140**
"Revenue Anticipation Borrowing Bylaw No. 1683, 2017".
(FIRST, SECOND AND THIRD READINGS)

e) BYLAW NO. 1685 **141**
"Langford Zoning Bylaw, Amendment No. 480, (Omnibus No. 46 – Various Amendments to General Regulations), 2017".
(FIRST READING)

9. IN CAMERA RESOLUTION **154**

10. ADJOURNMENT

CITY OF LANGFORD

MINUTES OF THE REGULAR MEETING OF COUNCIL

Monday, March 6th, 2017 @ 5:30 p.m.

Council Chambers, 3rd Floor, 877 Goldstream Avenue

PRESENT

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

ATTENDING

Chief Administrative Officer, J. Bowden, Deputy Chief Administrative Officer, D. Kiedyk, Director of Finance, S. Ternent, Director of Engineering, M. Mahovlich, Director of Planning, M. Baldwin, Director of Corporate Services, B. Hutchins, Fire Chief, B. Beckett and Manager of Bylaw Enforcement, L. Fletcher

1. CALL TO ORDER

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

2. APPROVAL OF THE AGENDA

MOVED BY: COUNCILLOR WADE
SECONDED: COUNCILLOR BLACKWELL

That Council approve the agenda as presented.

CARRIED.

3. ADOPTION OF MINUTES

a) Minutes of the Regular Meeting of Council – February 20th, 2017

MOVED BY: COUNCILLOR SZPAK
SECONDED: COUNCILLOR WADE

That Council approve the minutes of the Regular Meeting of Council held on February 20th, 2017.

CARRIED.

4. PUBLIC PARTICIPATION

5. COMMITTEE RESOLUTIONS

a) Planning, Zoning and Affordable Housing Committee – February 27th, 2017

1. Application to rezone 592 Phelps Avenue from R2 (One- and Two-Family Residential) to RS1 (Residential Small Lot 1) to allow a future subdivision of four new single-family residential lots. (Planning Z16-0010)

MOVED BY: COUNCILLOR BLACKWELL
SECONDED: COUNCILLOR SZPAK

That Council:

1. Direct staff to prepare a bylaw to amend the zoning designation of the property located at 592 Phelps Avenue from R2 (One- and Two-Family Residential) to RS1 (Residential Small Lot 1), 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, prior to subdivision approval:
        i. $3,960 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:
        i. That an advisory note be written to provide future owners with the understanding and that Western Speedway is located within a kilometer and may generate a noise nuisance;
        ii. That full frontage improvements be completed as per the Subdivision and Development Servicing Bylaw No. 1000 as a condition of subdivision approval, to the satisfaction of the Director of Engineering; and
        iii. That all required measures recommended by the Stormwater Management Plan, which may include the registration of a statutory right of way, shall be implemented by the owner as a condition of Subdivision approval, to the satisfaction of the Director of Engineering.

CARRIED.

2. Application to amend the zoning designation of the property at 2762 and 2768 Claude Road from R2 (One-Family Residential) to a new MU2 (Mixed-Use Residential Commercial Zone) to allow for the construction of a (10) storey residential building consisting of approximately 117 dwelling units. (Planning Z16-0017)

MOVED BY: COUNCILLOR BLACKWELL
SECONDED: COUNCILLOR WADE

That Council:

1. Direct staff to prepare a bylaw to amend the zoning designation of the property located at 2768 and 2762 Claude Rd from R1 (One-Family Residential) to MU2 (Mixed-Use Residential Commercial) subject to the following terms and conditions:

a. That the following contributions are included in the bylaw as an amenity for increased density, to be payable at the time of building permit:
    i. $1,525 per unit towards the General Amenity Reserve Fund; and
    ii. $610 per unit towards the Affordable Housing Reserve Fund.

b. Notwithstanding 1. a, if the project is secured as rental housing, the following contributions are included in the bylaw as an amenity for increased density, to be payable at the time of building permit:
    i. $381.25 per unit towards the General Amenity Reserve Fund; and
    ii. $152.50 per unit towards the Affordable Housing Reserve Fund.

c. That the applicant provide the following items **prior to Public Hearing**:
    i. A road dedication plan;

d. That the applicant provide the road dedication to the City **prior to bylaw adoption**.

e. That the applicant register a Section 219 covenant, **prior to bylaw adoption**, that includes the following:
    i. The owner pay for and construct all works to restrict left turn movements southbound on Claude Road to Goldstream Avenue prior to issuance of Occupancy Permit;
    ii. The owner provide a traffic and public safety plan and construction parking management plan, prior to any onsite works and/or clearing, to the satisfaction of the Director of Engineering;
    iii. The applicant shall construct frontage improvements, works and services to the standards of Subdivision and Development Servicing Bylaw No. 1000 and to the satisfaction of the Director of Engineering; and
    iv. The owner will register on title a Section 219 covenant for stormwater maintenance prior to the request for Occupancy Permit as a condition of rezoning.

2. Direct the Director of Planning to apply the Bear Mountain and Westhills design guidelines for tall buildings to the subject development.

3. Direct staff to amend the Multi-Family Design Guidelines to include design guidelines for tall buildings.

4. Direct staff to amend the MU2 zone to increase the Floor Space Ration from 4 to 5.

5. Direct the Director of Planning to issue the variance to reduce the front yard setback from 1.2m to 0m in the time of Development Permit, for a portion of the building and generally in accordance with the plans attached.

6. Direct the Director of Planning to issue the parking variance in the Development Permit subject to the applicant paying the City $5,000 for the one deficient stall prior to issuance of a building permit.

CARRIED.

3. Application to amend the zoning designation of the properties located at 2845, 2847 and 2850 Bryn Maur Road from R1 (One-Family Residential) to MU2 (Mixed-Use Residential Commercial) and to rezone a portion of 737 Goldstream Avenue from C8 (Community Town Centre Pedestrian) to MU2 (Mixed-Use Residential Commercial) to allow for the construction of a six (6) storey residential building consisting of approximately 93 dwelling units. (Planning Z16-0019)

MOVED BY: COUNCILLOR BLACKWELL
SECONDED: COUNCILLOR WADE

That Council:

1. Direct staff to prepare a bylaw to amend the zoning designation of the properties located at 2845, 2847, 2850 Bryn Maur Rd from R1 (One-Family Residential) to MU2 (Mixed-Use Residential Commercial) and to amend the zone of 737 Goldstream Avenue from C8 (Community Town Centre Pedestrian) to MU2 (Mixed-Use Residential Commercial)subject to the following terms and conditions:

    a. That the following contributions are included in the bylaw as an amenity for increased density, to be payable at the time of building permit:
        i. $1,525 per unit towards the General Amenity Reserve Fund; and
        ii. $610 per unit towards the Affordable Housing Reserve Fund.

    b. Notwithstanding 1. a, if the project is secured as rental housing, the following contributions are included in the bylaw as an amenity for increased density, to be payable at the time of building permit:
        i. $381.25 per unit towards the General Amenity Reserve Fund; and
        ii. $152.50 per unit towards the Affordable Housing Reserve Fund.

    c. That staff prepare a bylaw for the land exchange and that the applicant provide the following items **prior to First Reading:**
        i. A plan for the land swap which would include the deposition of approximately 95m2 of road on Bryn Maur Road in exchange for the acquisition of approximately 95m2 of road along the western edge of 2850 Bryn Maur Road, to the satisfaction of the Director of Engineering and that the applicant pay for all associated costs of the process; and
        ii. A detailed design drawing showing the road dedication required by Bylaw No. 1000, and demonstrating there are no utilities located in the proposed road closure area and a detailed frontage design plans to ensure appropriate pedestrian connectivity from the Rail Trail to the Goldstream Station development; and
        iii. A redesign of the building if any of the above necessitates an alteration of the building plans.

d. That the applicant complete both the road dedication and the land exchange **prior to bylaw adoption**.

e. That the applicant register a Section 219 covenant, **prior to bylaw adoption**, that includes the following:
   i. The owner provide a traffic and public safety plan and construction parking plan, prior to any onsite works and/or clearing, to the satisfaction of the Director of Engineering;
   ii. Frontage improvements, works and services shall be completed to the standards of Subdivision and Development Servicing Bylaw No. 1000;
   iii. The owner will register on title a Section 219 covenant for stormwater maintenance prior to the request for Occupancy Permit as a condition of rezoning; and
   iv. That the applicant provide a wayfinding sign at the trail junction to the satisfaction of the Parks Manager.

2. Direct the Director of Planning to issue the variance to reduce the exterior side yard setback from 1.2m to 0.6m at the time of Development Permit.

3. Direct the Director of Planning to issue the parking variance in the Development Permit.

CARRIED.

4. Application to Rezone 616 Goldstream Ave from RM2 (Attached Housing) to RM7A (Medium Density Apartment A) to allow a 160-unit non-profit housing development. (Planning Z16-0028)

MOVED BY: COUNCILLOR BLACKWELL
SECONDED: COUNCILLOR WADE

That Council:

1. Give First Reading to Bylaw No. 1673 to amend the zoning designation of the property located at 616 Goldstream Ave from RM2 to RM7A, subject to the following terms and conditions:

   a) 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 stormwater maintenance covenant be registered on title prior to the request for Occupancy Permit as a condition of rezoning;
      ii. That the owner provide a construction parking management plan to the satisfaction of the Director of Engineering prior to the commencement of any works on-site;
      iii. That the owner will provide a new queue length assessment from a traffic engineer to the satisfaction of the Director of Engineering prior to the issuance of a Building Permit for Building 2;

2. Provide a permissive tax exemption, on land and improvements, subject to a covenant being registered on title that the proposed residential units will be non-profit affordable housing rental units for at least 10 years;

3. Authorize the Director of Planning to issue a variance to the required off-street parking for Building 1 with a condition that the amount of parking provided for Building 1 be reassessed prior to the commencement of Phase 2, and that additional parking spaces be allocated to users of Building 1 if the amount of parking is deemed insufficient at that time;

4. Direct staff to proceed with the proposed design of Building 1 through the development permit process.

5. Waive all required amenity contributions and application fees charged by the City of Langford to allow the 160-unit subsidized affordable housing rental development proposed in this application subject to the owner registering a Section 219 Covenant requiring the new residential units will be subsidized non-profit affordable housing rental units for at least 10 years AND direct staff to amend the Amenity Contribution Policy and any necessary development application fee bylaws to waive the required amenity contributions and application fees for any subsequent subsidized affordable housing rental development.

CARRIED.

5. Application to amend the zoning designation of the properties located at 767, 769 and 771 Hockley Avenue from R1 (One-Family Residential) to MU2 (Mixed-Use Residential Commercial to allow for the construction of a six (6) storey residential building consisting of approximately 64 dwelling units. (Z17-0002)

MOVED BY: COUNCILLOR BLACKWELL
SECONDED: COUNCILLOR WADE

That Council:

1. Direct staff to prepare a bylaw to amend the zoning designation of the properties located at 771, 769 and 767 Hockley Avenue from R1 (One-Family Residential) to MU2 (Mixed-Use Residential Commercial) subject to the following terms and conditions:

    a. That the following contributions are included in the bylaw as an amenity for increased density, to be payable at the time of building permit:
        i. $1,525 per unit towards the General Amenity Reserve Fund; and
        ii. $610 per unit towards the Affordable Housing Reserve Fund.

    b. Notwithstanding 1. a, if the project is secured as rental housing, the following contributions are included in the bylaw as an amenity for increased density, to be payable at the time of building permit:
        i. $381.25 per unit towards the General Amenity Reserve Fund; and
        ii. $152.50 per unit towards the Affordable Housing Reserve Fund.

c. That the applicant provide the following items **prior to First Reading:**
   i. A plan demonstrating road dedication to the satisfaction of the Director of Engineering and revised buildings plans if necessary;

d. That the applicant provide the road dedication **prior to bylaw adoption**.

e. That the applicant register a Section 219 covenant, **prior to bylaw adoption**, that includes the following:
   i. The owner provide a traffic and public safety plan and construction parking plan, prior to any onsite works and/or clearing, to the satisfaction of the Director of Engineering;
   ii. Frontage improvements, works and services shall be completed to the standards of Subdivision and Development Servicing Bylaw No. 1000; and
   iii. The owner will register on title a Section 219 covenant for stormwater maintenance prior to the request for Occupancy Permit as a condition of rezoning; and

2. Direct the Director of Planning to issue the variance to reduce the exterior side yard setback from 1.2m to 0.6m at the time of Development Permit.

3. Direct the Director of Planning to issue the parking variance in the Development Permit.

CARRIED.

6. Application for Development Variance Permit to vary the front, side and exterior side setbacks for Lot 12 as part of a 12 lot subdivision of 881 Klahanie Drive. (DVP17-0001)

MOVED BY: COUNCILLOR BLACKWELL
SECONDED: COUNCILLOR WADE

That Council:

1. Direct staff to proceed with consideration of the following variances for 881 Klahanie Drive, Lot 12:

   a) That Section 3.18.01 of Zoning Bylaw No. 300 be varied by increasing the projection limits of a deck on a lot 380 m^2 or larger from 1 m to 2 m, as shown on Appendix A (attached);
   b) That Section 6.17.06(2) of Zoning Bylaw No. 300 be varied from the required 3 m to 2 m for the distance a building or structure may be located to an interior side property line; and
   c) That Section 6.17.06(3) of Zoning Bylaw No. 300 be varied from the required 4 m to 3 m for the distance a building or structure may be located to an exterior side property line.

CARRIED.

7. Application for Development Variance Permit to reduce the required off-street parking for a 209-unit Apartment at 2000 Hannington Rd. (DVP17-0002)

MOVED BY: COUNCILLOR BLACKWELL
SECONDED: COUNCILLOR WADE

That Council:

1. Direct staff to proceed with consideration of the following variances for 2000 Hannington Rd:

   a) That Section 4.01.01 of Zoning Bylaw No. 300 be varied to reduce the off-street parking for a 209-unit apartment from the required 366 spaces to 289 spaces;

Subject to the following terms and conditions:

i) That a minimum of 18 spaces are allocated for the exclusive use of visitors to subject apartment building;
ii) That the site is developed in accordance with the plan attached to this report as Appendix A.

CARRIED.

b) Protective Services Committee – February 28th, 2017

1. Building Department Five-Year Financial Plan for 2017-2021

MOVED BY: COUNCILLOR SZPAK
SECONDED: COUNCILLOR SEATON

That Council approve in principle the Building Department Five Year Financial Plan for 2017-2021 as presented in the staff report dated February 23rd, 2017 and refer it to the Treasurer for inclusion in the consolidated Financial Plan.

CARRIED.

2. Community Safety and Municipal Bylaw Enforcement Department Five-Year Financial Plan for 2017-2021

MOVED BY: COUNCILLOR SZPAK
SECONDED: COUNCILLOR SEATON

That Council approve in principle the 2017-2021 Community Safety and Municipal Bylaw Enforcement Department Five Year Financial Plan and refer it to the Director of Finance for inclusion in the budget.

CARRIED.

3. (a) Fire Department Five Year Financial Plan for 2017

MOVED BY: COUNCILLOR SZPAK
SECONDED: COUNCILLOR SEATON

That Council approve, in principle, the Fire Services Five Year Financial Plan for 2017 – 2021 as presented in the Staff Report dated February 20, 2017 and refer it to the Treasurer for inclusion in the budget.

CARRIED.

3. (b) Approve purchase of a new apparatus as per February 23rd on table report.

MOVED BY: COUNCILLOR SZPAK
SECONDED: COUNCILLOR SEATON

That Council approve the purchase of a new equipment apparatus as per the February 23rd on table report.

CARRIED.

6. REPORTS

a) Corporate Officer and Signing Authority Appointments
- **Staff Report (Administration)**

MOVED BY: COUNCILLOR SAHLSTROM
SECONDED: COUNCILLOR SZPAK

That Director of Corporate Services Hutchins be appointed as Corporate Officer / authorized staff signatory for all contracts, agreements and other municipal documents, that Deputy CAO Kiedyk be appointed as Deputy Corporate Officer / authorized staff signatory and that CAO Bowden, Director of Finance Ternent, Director of Engineering Mahovlich and Director of Planning Baldwin remain as alternate staff signatories.

CARRIED.

b) Nature Trail Society – Tourism
- **Staff Report (Parks)**

MOVED BY: COUNCILLOR SEATON
SECONDED: COUNCILLOR SAHLSTROM

That Council direct staff to proceed with the opening of the new trail in Stage 13 (Nicklaus Park) Nature Trail improvements as a pilot project during which time the Natures Trail Society with monitor and maintain the trail.

CARRIED.

d) Changes to Liquor Licensing Procedures from the Liquor Control and licensing Branch (LCLB)
- **Staff Report (Planning)**

MOVED BY: COUNCILLOR SZPAK
SECONDED: COUNCILLOR WADE

That Council provides resolutions in accordance to Section 40 of the Liquor Control and Licensing Act.

CARRIED.

7. CORRESPONDENCE

a) Salish Sea Trust
Re: An application to Recognize the Salish Sea as a UNESCO World Heritage Site

MOVED BY: COUNCILLOR SZPAK
SECONDED: COUNCILLOR SAHLSTROM

That Council receives the letter from Laurie Gourlay, Executive Director of Salish Sea Trust, and Kait Burgan, SeaLegacy Society, and directs staff to write a letter of support for the Salish Sea to be classified as a UNESCO World Heritage Site.

CARRIED.

8. BYLAWS

a) BYLAW NO. 1664
"Langford Zoning Bylaw, Amendment No. 467, (694 Hoylake Ave), 2016".
(ADOPTION)

MOVED BY: COUNCILLOR SAHLSTROM
SECONDED: COUNCILLOR WADE

That Council adopt Bylaw No. 1664.

CARRIED.

b) BYLAW NO. 1673
"Langford Zoning Bylaw, Amendment No. 470, (616 Goldstream Ave), 2017".
(FIRST READING)

MOVED BY: COUNCILLOR SAHLSTROM
SECONDED: COUNCILLOR SZPAK

That Council give Bylaw No. 1673 First Reading.

CARRIED.

c) BYLAW NO. 1676
"Langford Zoning Bylaw, Amendment No. 472, (2401 Millstream Rd), 2017".

(FIRST READING)

MOVED BY: COUNCILLOR WADE
SECONDED: COUNCILLOR SZPAK

That Council give Bylaw No. 1676 First Reading.

CARRIED.

d) BYLAW NO. 1677
"Langford Zoning Bylaw, Amendment No. 473, (817 Arncote Ave), 2017".
(FIRST READING)

MOVED BY: COUNCILLOR WADE
SECONDED: COUNCILLOR SZPAK

That Council give Bylaw No. 1677 First Reading.

CARRIED.

e) BLYAW NO. 1678
"Langford Zoning Bylaw, Amendment No. 474, (2681 Claude Rd), 2017".
(FIRST READING)

MOVED BY: COUNCILLOR WADE
SECONDED: COUNCILLOR SZPAK

That Council give Bylaw No. 1678 First Reading.

CARRIED.

9. IN CAMERA RESOLUTION

MOVED BY: COUNCILLOR WADE
SECONDED: COUNCILLOR SZPAK

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 litigation and land acquisition under Section 90 (1) (e) (f) and (g) of the Community Charter; and
b) That Council continues the meeting in closed session.

CARRIED.

10. ADJOURNMENT

The Chair adjourned the meeting at 5:51 pm.

PRESIDING COUNCIL MEMBER:

CERTIFIED CORRECT
Corporate Officer

CITY OF LANGFORD
DEVELOPMENT VARIANCE PERMIT

DVP17-0001 – 881 Klahanie Dr

That Development Variance Permit No. DVP17-0001 be issued by the Council for the City of Langford to Aaron Flaig of Pacific East Developments Limited has applied on behalf of Base Pacific Developments Ltd for a development variance permit to reduce the building setback regulations for Lot 12 on the property at 881 Klahanie Drive subject to the following terms and conditions:

1. Variances

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

a) That Section 3.18.01 of Zoning Bylaw No. 300 be varied by increasing the projection limits of a deck on a lot 380 m2 or larger from 1 m to 2 m, as shown on Appendix A (attached);
b) That Section 6.17.06(2) of Zoning Bylaw No. 300 be varied from the required 3 m to 2 m for the distance a building or structure may be located to an interior side property line; and
c) That Section 6.17.06(3) of Zoning Bylaw No. 300 be varied from the required 4 m to 3 m for the distance a building or structure may be located to an exterior side property line.

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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, 20 March 2017, in the City Hall Council Chamber on the Third Floor of 877 Goldstream Avenue.

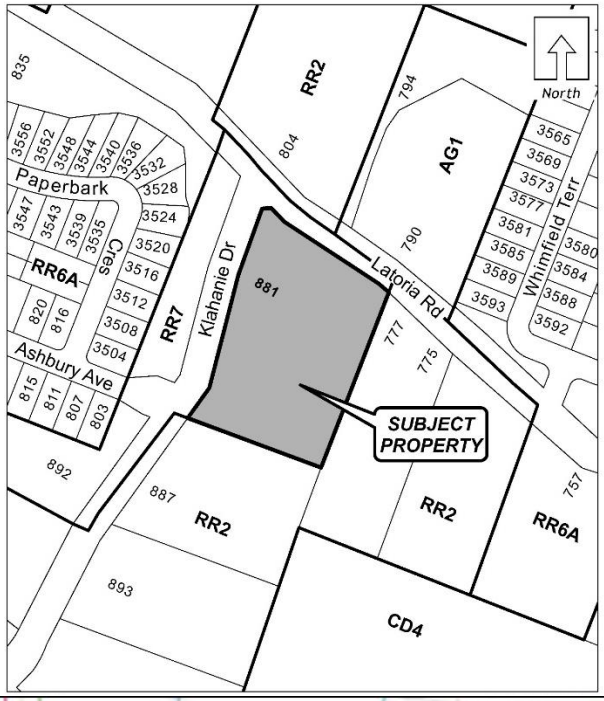
File	Development Variance Permit No. DVP17-0001
Applicant	Aaron Flaig, Pacific East Developments Limited
Location	881 Klahanie Dr, Lot 12
Proposal	1. That Section 3.18.01 of Zoning Bylaw No. 300 be varied by increasing the projection limits of a deck on a lot 380 m^2 or larger from 1 m to 2 m, as shown on Appendix A (attached); 2. That Section 6.17.06(2) of Zoning Bylaw No. 300 be varied from the required 3 m to 2 m for the distance a building or structure may be located to an interior side property line; and 3. That Section 6.17.06(3) of Zoning Bylaw No. 300 be varied from the required 4 m to 3 m for the distance a building or structure may be located to an exterior side property line.
Purpose	To permit a reduction of the building setback regulations for Lot 12 on the property at 881 Klahanie Drive.

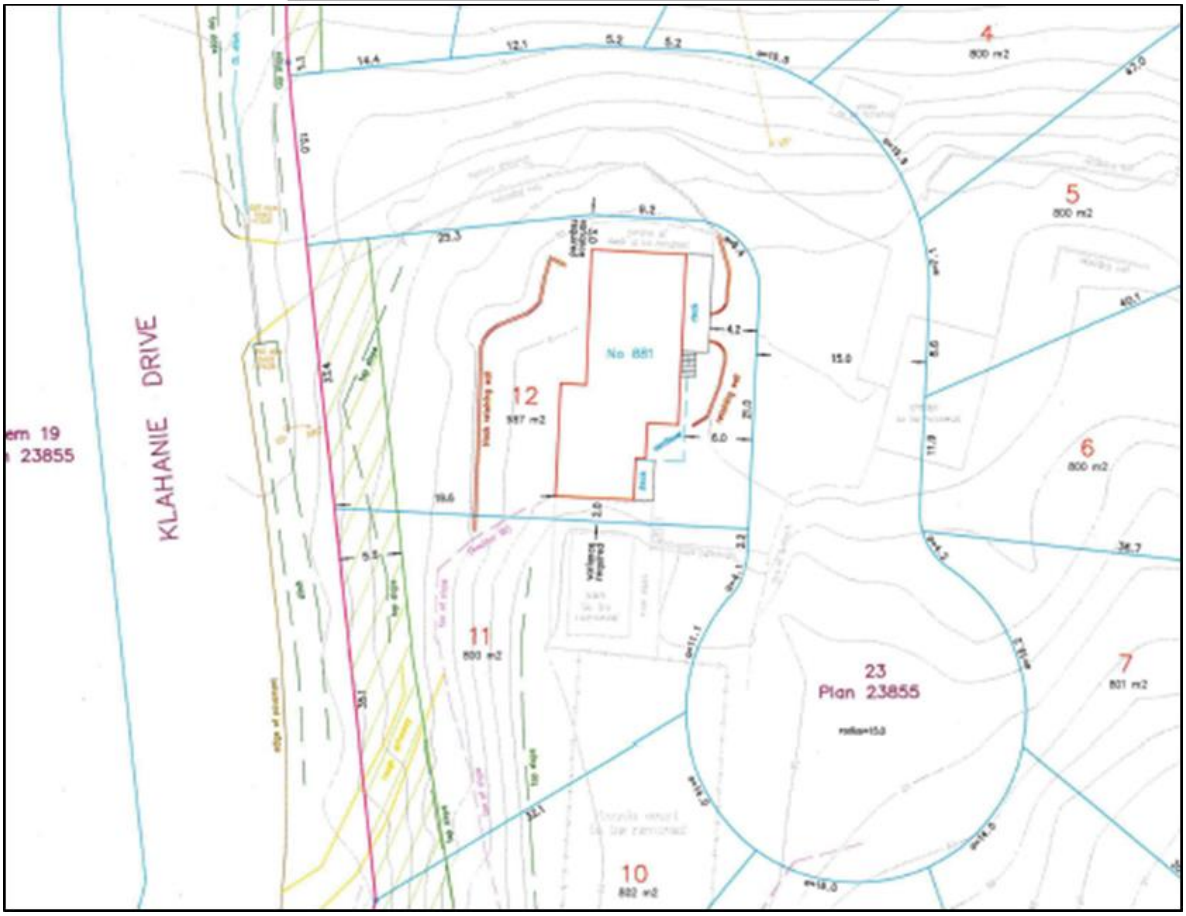
The purpose of this Notice is to acquaint the property owners and residents in the area with the specifics of the proposed variance. We request that the Administrator receive any written submissions by Wednesday, 15 March 2017. The submissions will then be distributed for Council's consideration. You may also speak at the Council Meeting of 20 March 2017 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). If you have any questions, please call Lauren Morhart in the Planning Department.

Jim Bowden
Administrator

DEVELOPMENT VARIANCE PERMIT
(DVP17-0001)
881 Klahanie Dr





CITY OF LANGFORD
DEVELOPMENT VARIANCE PERMIT

DVP17-0002 – 2000 Hannington Rd

That Development Variance Permit No. DVP17-0002 be issued by the Council for the City of Langford to Devin Marlowe of Ecoasis Development LLP on behalf of BM Highlander Development Ltd for the property located at 2000 Hannington Rd subject to the following terms and conditions:

1. Variances

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

a) That Section 4.01.01 of Zoning Bylaw No. 300 be varied to reduce the off-street parking for a 209-unit apartment from the required 366 spaces to 289 spaces.

2. Conditions

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

a) That a minimum of 18 spaces are allocated for the exclusive use of visitors to the subject apartment building;

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Notice of Intention to Consider Issuance of a Development Variance Permit

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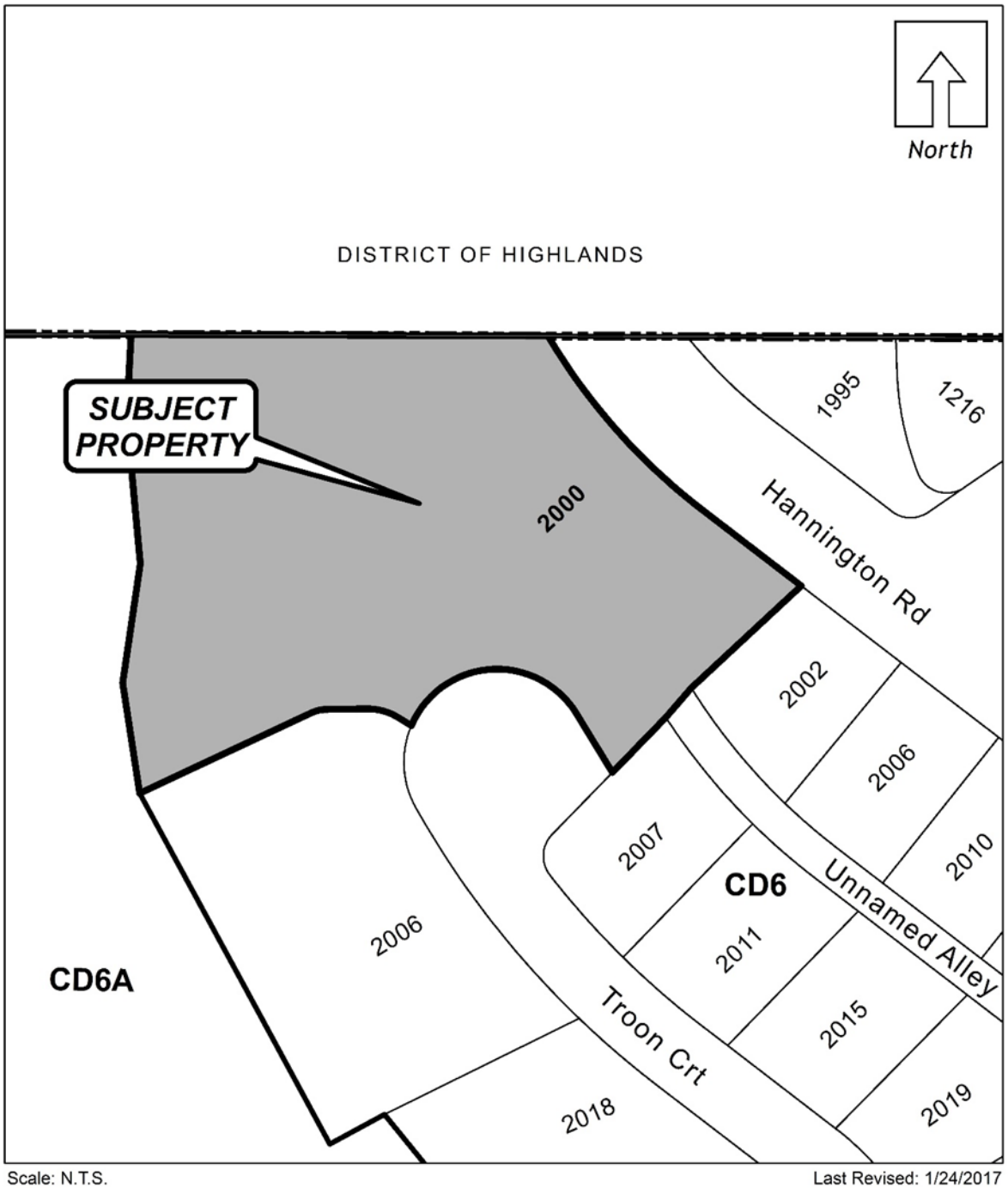
File	Development Variance Permit No. DVP17-0002
Applicant	Devin Marlowe, Ecoasis Development LLP
Location	2000 Hannington Rd
Proposal	1. That Section 4.01.01 of Zoning Bylaw No. 300 be varied to reduce the off-street parking for a 209-unit apartment from the required 366 spaces to 289 spaces; Subject to the following terms and conditions: a. That a minimum of 18 spaces are allocated for the exclusive use of visitors to subject apartment building; b. That the site is developed in accordance with the plan attached to this report as Appendix A.
Purpose	To reduce the required amount of off-street parking from the required 366 spaces to 289 spaces for a 209-unit apartment.

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 the Administrator receive any written submissions by Wednesday, 15 March 2017. The submissions will then be distributed for Council's consideration. You may also speak at the Council Meeting of 20 March 2017 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). If you have any questions, please call Leah Stohmann in the Planning Department.

Jim Bowden
Administrator

DEVELOPMENT VARIANCE PERMIT
(DVP17-0002)
2000 Hannington Rd



Document Name: DVP17-0002_Site_Map

Scale: N.T.S.

Last Revised: 1/24/2017

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Staff Report to Council

Date: **March 20, 2017**

Department: **Planning**

Application No.: **DVP17-0003**

Subject: **Application for a variance to the rear building setback regulations to permit an existing single family dwelling and a rear deck at 2267 Nicklaus Drive**

PURPOSE

Cliff Dueck, the owner of 2267 Nicklaus Drive has applied to reduce the required rear yard building setback to permit a newly constructed single family dwelling and rear deck at 2267 Nicklaus Drive.

BACKGROUND

PREVIOUS APPLICATIONS

On October 1st, 2015 staff received a building permit for the construction of a single family house and secondary suite at 2267 Nicklaus drive. Through the building permit process a Building Location Certificate was submitted (as shown in Appendix A). The Certificate revealed that the house had not been constructed as per the approved building plans, (as shown in Appendix C) and as a result, required variances to the required height and rear setback requirements of the CD6 (Comprehensive District 6 – Bear Mountain) zone of Zoning Bylaw 300.

The applicant applied with the City of Langford's Board of Variance to legitimize variances to the required setback and height regulations. Section 540 of the Local Government Act allows an applicant to apply to the Board of Variance if they feel compliance to a bylaw governing siting, size or dimensions of a building would cause undue hardship. As part of the request the applicant provided the Board a letter explaining the how compliance would cause unnecessary hardship, a copy of this letter is attached as Appendix D.

The City of Langford's Board of Variance determined that a variance to the required height from 9 m to 9.4 m could be granted through this process. However, the Board determined that the applicant's request for a setback variance from 6 m to 5.30 m for the building and rear yard decks should be subject to the discretion of the City of Langford Council.

Table 1: Site Data

Applicant	Cliff Dueck
Owner	Cliff Dueck and Susan Dueck
Civic Address	2267 Nicklaus Drive
Legal Description	LOT 32 SECTION 83 HIGHLAND DISTRICT PLAN EPP16303
Size of Property	629 m^2
DP Areas	High Fire Hazard Area, Habitat Biodiversity and Environmentally Sensitive Area
Zoning Designation	CD6 (Comprehensive District 6 – Bear Mountain)
OCP Designation	Hillside or Shoreline

SITE AND SURROUNDING AREA

The subject parcel is approximately 630 m^2 with the single family house and deck in question built on over 35% of the parcel. There are single family homes are on both sides and a vacant, undeveloped area east of the property where the steep grade to the street has warranted a retaining wall. This portion of the Bear Mountain subdivision is made up of average sized lots, many slightly bigger than 550 m^2 with homes that cover a large portion of the lot.

The subject property is within a High Risk Fire Interface Area as well as within an Environmentally Sensitive and Biodiverse Development Permit Area. Development Permits to address these Permit Areas have already been issued under previous applications to develop the Bear Mountain subdivision.

Table 2: Surrounding Land Uses

	Zoning	***Use***
North (2263 Nicklaus Drive)	CD6	Single Family Dwelling
East (2343 Nicklaus Drive)	CD6	Vacant
South (2271 Nicklaus Drive)	CD6	Single Family Dwelling
West (2227 Nicklaus Drive)	CD6	Single Family Dwelling

COMMENTS

DEVELOPMENT PROPOSAL

As shown in the plan attached as Appendix A, the main floor rear façade of the newly constructed house is 5.60 m to the rear property line, 0.40 m closer than the required 6 m rear setback in the CD6 (Bear Mountain Comprehensive District 6) zone. A covered main floor deck extends 0.95 m beyond this, and is located 4.65 m to the rear property line. Decks are permitted to project 1 m beyond the required building setback in the zone, therefore a rear yard deck may be no closer than 5 m to the rear property line.

If Council were to support a variance to the building setback requirements and allow the main floor façade to remain 5.60 m from the rear property line, it would also permit the main floor covered deck to be located where it is, as it would be allowed to project 1 m beyond the varied building setback in accordance to Table 1 in Section 3.18.01.

Currently the subject deck extends 1.86 m past the neighbour's deck to the north of the property (2263 Nicklaus Drive) and 2.27 m past the neighbour to the south (2271 Nicklaus drive). This differential is visible when viewed from the lower portion of Nicklaus Drive (see photos attached as Appendix E).

Planning staff do not feel they can fully support the request for setback variances given the generous setbacks already provided by the CD6 zone and that height regulations with building setbacks are the only way to moderate house size in the zone. However, given the cost prohibitive nature of deconstructing the house in order to comply with the CD6 zoning regulations, Council may wish to allow the variance to remain with the understanding that the applicant and builder will be more vigilant in their adherence to Langford's municipal bylaws in the future.

Included as Appendix E, Bob Flitton, a design control officer for the Bear Mountain Community has included a letter of support for the requested variances.

Table 3: Proposal

	Permitted by CD6 (Current Zoning)	**Proposed by DVP Application**
Height	9.0 m	9.4 m **(Granted under the Board of Variance**)
Site Coverage	No Regulation	No Change
Front Yard Setback	5.5 m	No Change
Interior Side Yard Setback	1.5 m	No Change
Exterior Side Yard Setback	4.5 m	No Change
Rear Yard Setback	**6 m**	**5.60 m**

OPTIONS

That Council:

Option 1

1. Direct staff to proceed with consideration of the following variances for 2267 Nicklaus Drive:

    a) That Section 6.95.09(b) of Zoning Bylaw No. 300 be varied from 6 m to 5.60 m;

OR Option 2

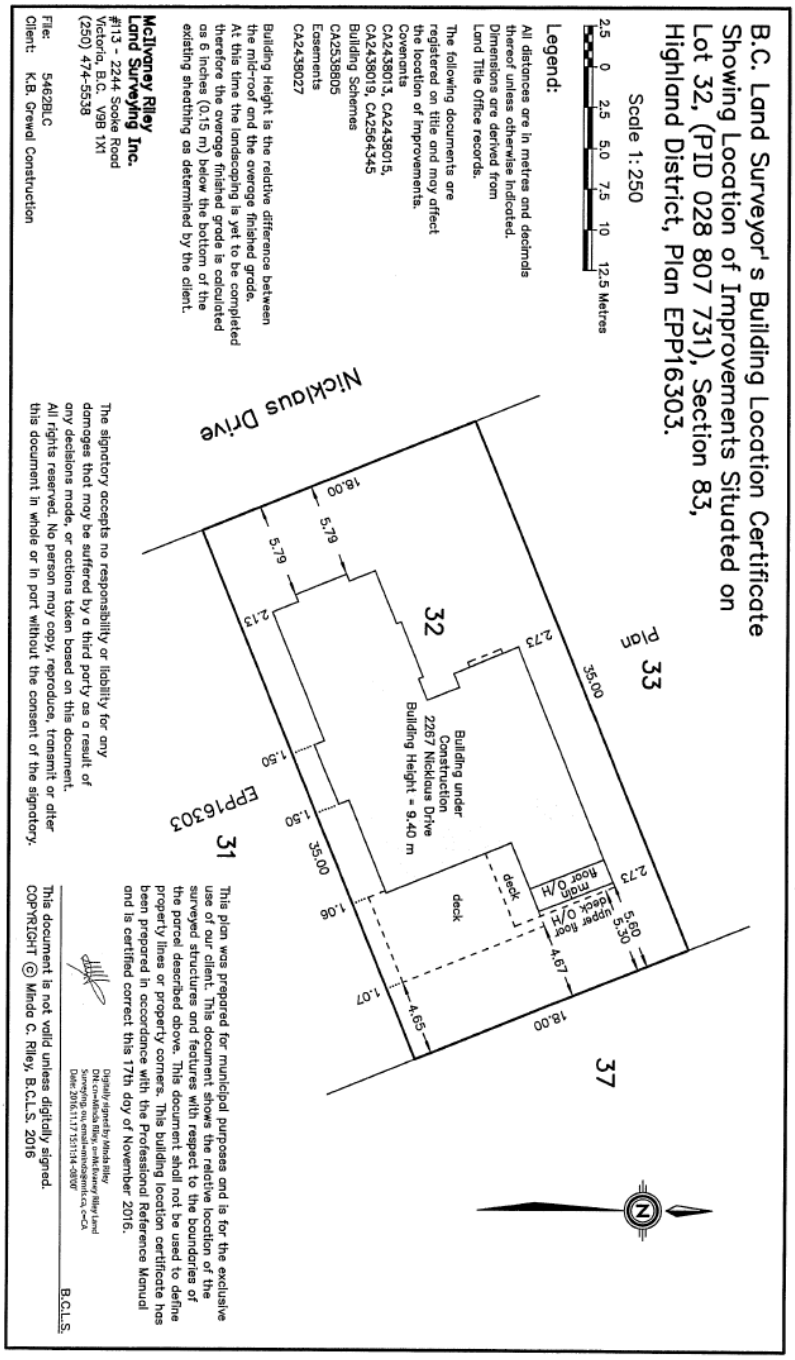
2. Reject this application for a development variance permit.

Submitted by:	Lauren Morhart, MCIP, RPP Planner 2
Concurrence:	Matthew Baldwin, MCIP, RPP Director of Planning
Concurrence:	Bob Beckett, Fire Chief
Concurrence:	Mike Leskiw, Parks and Recreation Manager
Concurrence:	Michelle Mahovlich, P.Eng, P.Geo, Director of Engineering
Concurrence:	Brent Molnar, Manager of Land Development
Concurrence:	Steve Ternent, Director of Finance
Concurrence:	Jim Bowden, Chief Administrative Officer
Concurrence:	Darren Kiedyk, Deputy Chief Administrative Officer
Concurrence:	Braden Hutchins, Director of Corporate Services

:lhm

Appendix A

Survey of house with non-compliant projection



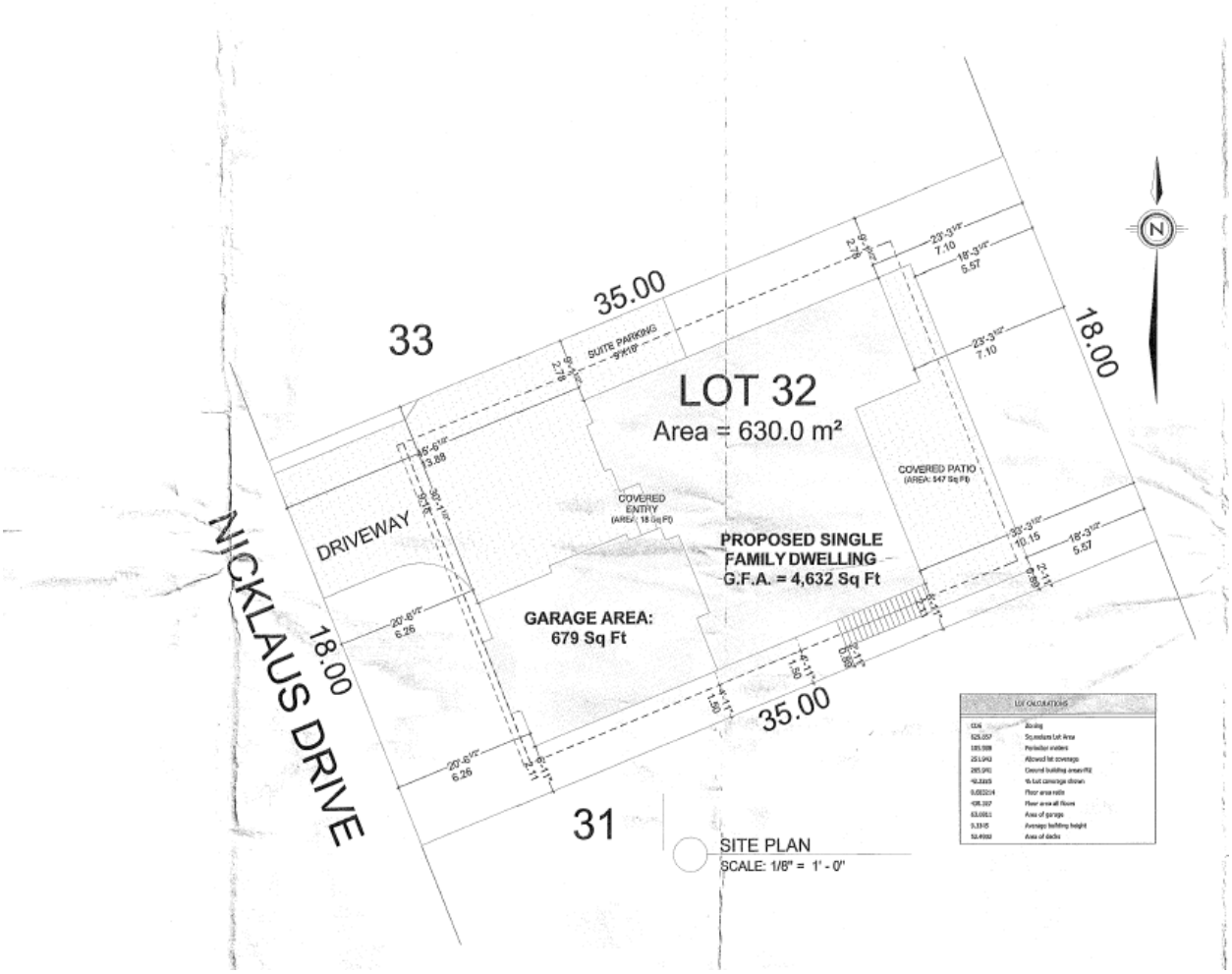
Appendix B

Ortho Map showing 2276 Nicklaus Drive



Appendix C

Building Permit showing what was approved to be built



Appendix D

Hardship Letter, part of Board of Variance Request by Cliff Dueck (Homeowner)

After building our house at 2267 Nicklaus drive, we were informed by the surveyor that we had a couple of issues. Apparently the roof is 10 inches too high and the rear of the house is 16 inches into the setback.

Most of the lot was two stories below the road, which made it a difficult property to build on. We built as low as possible on the lot and were required by Bear Mountain to install a minimum 7/12 pitch roof. We believed that we were in compliance with the height restriction. Our house sits well below the house next to us at 2263 Nicklaus, and at this point it would be impossible to adjust the height as the house is nearly complete.

The dining room was too small so we asked the architect (Java Designs) if we could extend it farther back. They redrew the plans with a larger dining room and our builder (KB Grewal construction) instructed the framer (Admiral Homes) to build it. As they assumed that they were outside the six meter setback they extended the deck three feet from the wall of the dining room to still allow the five meter setback from the deck.

As I am not a builder I relied on the experts. No one noticed the error until the surveyor pointed it out.

I am requesting a variance for these three items as we were informed of the problems very late in the construction and now are unable to comply to the height and set back requirements.

Thank You,
Cliff Dueck

Appendix E

Photos taken on February 9th, 2017 of 2276 Nicklaus Drive

Photo 1: Rear of House looking east over greenspace.



Photo 2: Rear of house showing deck, subject of requested variance, looking northwest over greenspace



Photo 3: Rear of House showing neighbouring houses, looking north east over greenspace



Appendix F

Letter from Bob Flitton, Design Officer for Bear Mountain Community

Attention Mr. Cliff Dueck ,and KB Grewal Construction Ltd., I confirm that as the CD-6 Zone Design Control officer for the Bear Mountain Community, I support your request to the City of Langford for deck and dining room cantilever setback variances in Bear Mountain at 2267 Nicklaus Dr, Langford, BC.

The cantilevers are located such that the variance will be unnoticed by neighbouring properties because they situated at the rear of the property and adjacent houses are at a considerably lower elevation. I believe approval of the variance will resolve the requirement for extensive renovation which would be not only be a hardship for you, but also the purchaser/client who I understand is waiting completion of the home to take occupancy.

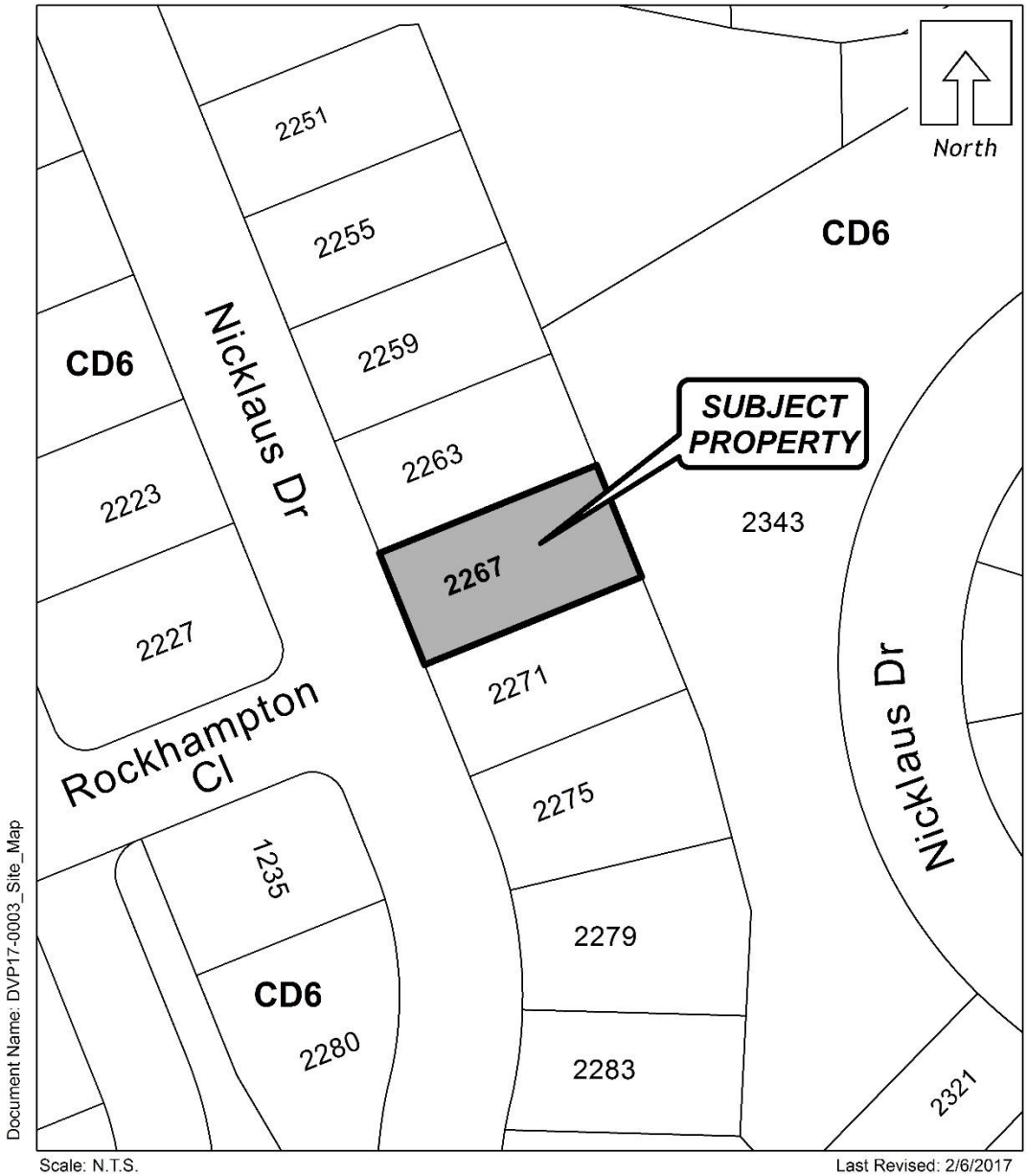
Thank you

CD-6 Zone Design Control
Island Pacific Inspection Services Ltd.

per Bob Flitton
250-361-7125

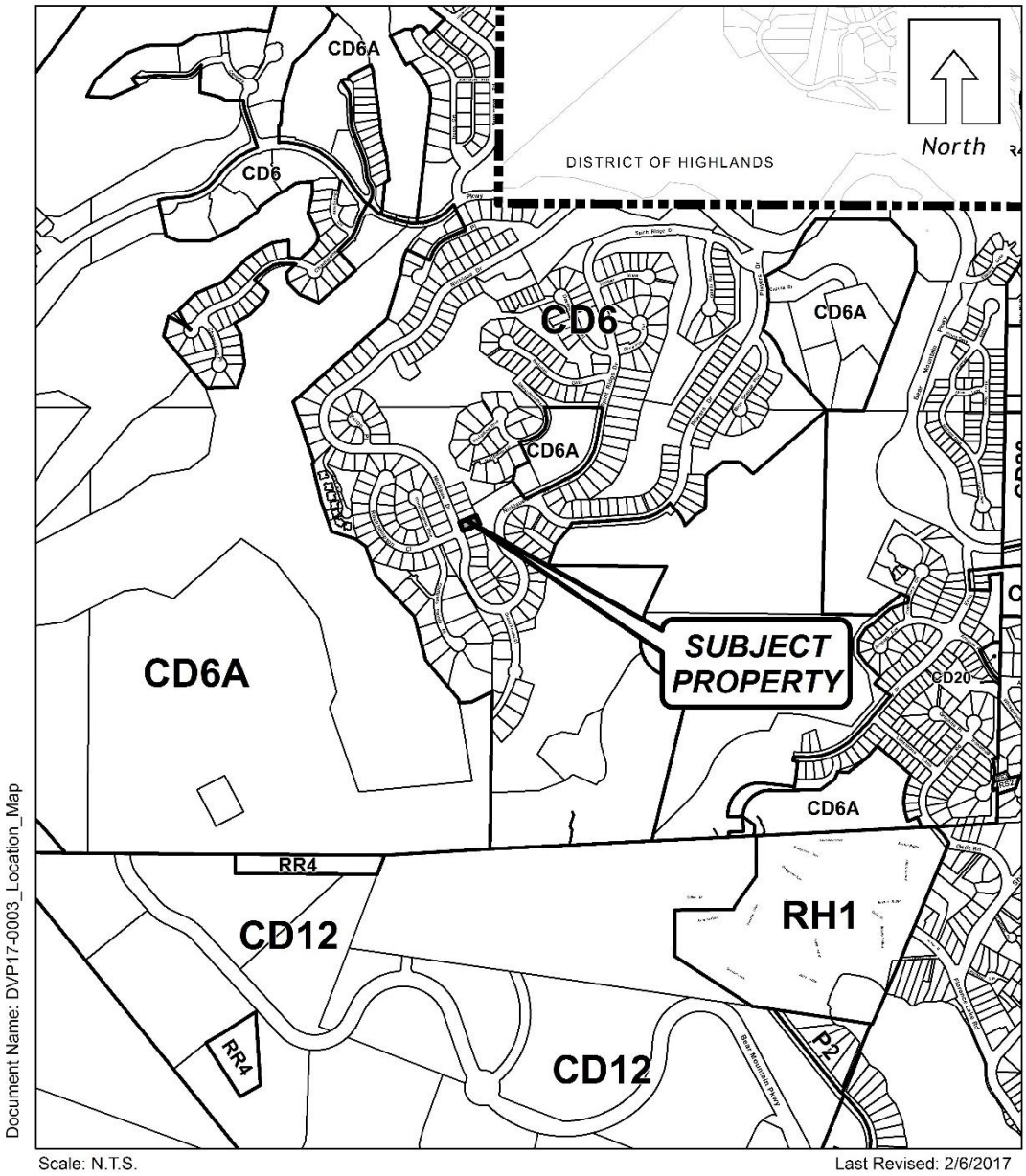
Appendix G:
Site Map

DEVELOPMENT VARIANCE PERMIT
(DVP17-0003)
2267 Nicklaus Dr



Appendix H:
Location Map

DEVELOPMENT VARIANCE PERMIT
(DVP17-0003)
2267 Nicklaus Dr



City of Langford
www.cityoflangford.ca

Staff Report

to

Council

Date: March 20, 2017

Department: **Planning**

Subject: Capital District Regional Growth Strategy Acceptance and Non-Acceptance of Bylaw 4017

Background

In 2011 the Capital Regional District underwent a 5 year review of the 2003 Reginal Growth Strategy (RGS) Bylaw (Bylaw No. 2952) in order to refine policy options and prepare draft policy documents. The newly developed policy document was drafted as Bylaw 4017, "Regional Grown Strategy No. 1, 2016."

The thirteen municipalities and one electoral area (EA) that make up the CRD were referred Bylaw 4017 and requested to state their acceptance or non-acceptance of the new Bylaw. As per the *Local Government Act*, all municipalities and areas must accept the RGS Bylaw prior to it being adopted by the Regional Board.

The CRD received "non-acceptance" of the draft bylaw from seven of the thirteen municipalities, and input from the Juan de Fuca electoral area was provided at an informal referral as well as at a second reading. Many concerns were regarding the content contained within the policy statements. Several municipalities felt that policies regarding climate action, agriculture, transportation, economic development, water servicing and growth management provisions lacked solid wording that could be implemented. Municipalities also felt that policies presented by the RGS did not align with the economic, social and environmental reality or future goals and plans. Most complaints surrounded the differing opinions around water servicing and growth management policies where divergent opinions have remained ongoing and unresolved. Correspondence from each of the municipalities is attached to this report as Appendix A.

Process Following Non-Acceptance of the RGS Bylaw

In accordance with Section 439 of the *Local Government Act* receiving "non-acceptance" for the RGS requires the CRD to enter into a either a binding or a non-binding process. What process is chosen is the decision of the Ministry of Community, Sport and Cultural Development.

A non-binding agreement would follow a process determined by the CRD Board (See Section 439 of the *Local Government Act*, attached as Appendix B) and participating municipalities. At the conclusion of the non-binding process the RGS would have to be re-referred to all of the CRD municipalities. If any municipalities do not accept the re-referred RGS the Minister would be required to default to a binding settlement process.

A binding settlement would require a settlement option, and a peer panel or arbitrator would be chosen and agreed upon by those municipalities who rejected the RGS, if the Minister does not specify a binding settlement approach. If the municipalities cannot reach an agreement then the Minister must direct the binding settlement approach and chose an arbitrator or peer panel. At the conclusion of a binding settlement process a decision is made by an arbitrator or peer panel and is considered final unless an agreement can, within 60 days of the decision, be reached on an RGS that differs from the one settled. Under the binding settlement process, there is nothing that precludes the participating parties from reaching an agreement on an RGS.

The chances that a non-binding process would resolve matters are negligible given the divergent goals and perceptions of the municipalities and RGS policies. Therefore the CRD Board is considering recommending binding arbitration process and circumventing a potentially unnecessary process of re-referring the RGS to the CRD municipalities.

Langford's Role

If the Minister decides to undertake a non-binding resolution, the City will be involved in the process to establish a process to do so and will be re-referred the RGS Bylaw.

If the Minister directs a binding resolution process, as is the recommendation from the Board, a settlement option and peer panel or arbitrator must be selected and agreed upon by the municipalities that rejected the RGS Bylaw. As Langford stated their acceptance of the RGS, they would not be involved in binding resolution.

Options

Option 1:

That Council receive this report for information

Or Option 2:

That Council reject this report.

Respectfully submitted,

Submitted by:	Lauren Morhart, MCIP, RPP, Planner 2
Concurrence:	Matthew Baldwin, MCIP, RPP Director of Planning
Concurrence:	Michelle Mahovlich, P.Eng, P.Geo, Director of Engineering
Concurrence:	Steve Ternent, Director of Finance
Concurrence:	Braden Hutchins, Director of Corporate Services
Concurrence:	Jim Bowden, Chief Administrative Officer
Concurrence:	Darren Kiedyk, Deputy Chief Administrative Officer

:lhm

APPENDIX A RECORD OF RESOLUTIONS TO ACCEPT AND NOT ACCEPT THE RGS

The Corporation of the District of Central Saanich

January 31, 2017 File: 0400-60/17

Capital Regional District
625 Fisgard Street, PO Box 1000
Victoria, BC V8W 2S6

Attention: Board Chair Barbara Desjardins

Dear Chair Desjardins:

Re: 2016 RGS Bylaw 4017 – Referral for Municipal Acceptance

Please be advised that at their January 30, 2017 Special meeting, Council resolved the following:

A. *That Council not accept "Capital Regional District Regional Growth Strategy Bylaw No. 1, 2016";*

B. *That Council note its objection to policies 2.2 (1) and (2), noting concern that these policies need to be strengthened to avoid development and sprawl on rural lands in Electoral Areas which would be contrary to the objectives of the Regional Growth Strategy which supports complete and compact communities, but Council is supportive of water servicing from localized community water sources;*

C. *That Council indicate that it could accept the RGS bylaw if amended in line with "Alternative 2" in Appendix E to the staff report to the CRD Board November 9, 2016.*

Should you have any questions, please contact the undersigned.

Yours truly,

Mayor Ryan Windsor

1903 Mount Newton Cross Road, Saanichton, B.C. V8M 2A9
Phone: (250) 652-4444 Fax: (250) 652-0135

CRD EXECUTIVE OFFICE
Received
JAN 30 2017

Colwood

January 24, 2017
File: 6440-40-REG-12811

☑ Chair ☐ Board
☑ CAO ☐ Communications
☑ GM PPS
☑ For action / resp. by Regional Planning
☐ Corresp. for Board / Committee meeting
☐ For Information Only
☑ Copies to S. Bagh
0400-50 Clwood

Capital Regional District
Regional and Strategic Planning
625 Fisgard Street, PO Box 1000
Victoria, BC V8W 2S6

Re: Capital Regional District Regional Growth Strategy Bylaw 4017 – Referral for Municipal Acceptance

The City of Colwood Council considered the Referral for Municipal Acceptance for the Capital Regional District Regional Growth Strategy Bylaw No. 4017 at the Regular Meeting of Council held on January 23, 2017. At the meeting Council endorsed the following resolution:

> Not accept "Capital Regional Growth Strategy Bylaw No. 1, 2016" **AND,**
>
> Objects to "Map 3: Regional Growth Management Concept Plan" on the basis that it conflicts with the land use designations contained within Colwood's Official Community Plan; **AND,**
>
> Objects to Chapter 6 in its entirety on the basis that it is overly vague with respect to how its policies would be acted on by the CRD in terms of potential new regional services and initiatives.

If you have any questions regarding the above, please contact me at 250-478-5999.

Thank you.

Iain Bourhill, MCIP, RPP
Director of Planning

cc: Ian Howat, Chief Administrative Officer
Patricia VanBuskirk, Director of Administration

COLWOOD CITY HALL
3300 Wishart Road
Colwood, BC V9C 1R1

CONTACT
Phone: 250 478 5999
Fax: 250 478 7516
ibourhill@colwood.ca

OFFICE HOURS:
8:30 am – 4:30 pm
Monday – Friday
except stat holidays

Colwood.ca

Township of
ESQUIMALT

1229 Esquimalt Road
Esquimalt BC V9A 3P1
PHONE: 250-414-7100
FAX: 250-414-7111
www.esquimalt.ca

Via email to breems@crd.bc.ca

January 24, 2017

Brent Reems, Senior Manager
Legislative & Information Services
Capital Regional District
625 Fisgard Street, PO Box 1000
Victoria, BC V8W 2S6

Dear Mr. Reems:

RE: 2016 RGS Bylaw 4017 – Referral for Municipal Acceptance

Further to the letter from Board Chair Barbara Desjardins dated December 2, 2016 regarding the above captioned matter, I am pleased to provide the Board with Township of Esquimalt Council's decision related to Municipal Acceptance of the Regional Growth Strategy.

Council considered this matter at their January 9, 2017 regular meeting and passed two motions. The first motion stated as follows:

> *That Council respond to the December 2, 2016 letter from the Chair of the Capital Regional District (Schedule "A") that it does not "accept" the 2016 Proposed Regional Growth Strategy for the reasons outlined in the "Issues" section of Staff Report DEV-17-001.*
> *Furthermore, that Council indicate to the Capital Regional District Board that, "it is willing that a provision to which it objects be included in the proposed Regional Growth Strategy on the basis that the provision will not apply to the Township of Esquimalt".* ***Carried Unanimously.***

The "Issues" section of Staff Report DEV-17-001 referred to in the motion has been copied here for your convenience:

ISSUES:

The proposed Regional Growth Strategy states: "Local municipalities will identify how their ***Official Community Plan aligns to each policy*** *(emphasis added) in a Regional Context Statement." Because the entirety of the Township's Official Community Plan will need to align with its Regional Context Statement, some of the policies in the proposed Regional Growth Strategy could severely limit the Township's opportunities to develop. These policies are identified in Table 1.*

Table 1 Summary of proposed Regional Growth Strategy policies that create potential problems for the Township.

Objective and Policy	***Staff Comments***
Objective 1.1 Keep Urban Settlement Compact	
Policy 1. Provide for land uses consistent with the Growth Management Concept Plan depicted on Map 3 and adopt policies to implement the Growth Management Concept	*Map 3 indicates that the Gorge Vale Golf Course is designated as "Renewable Resource Lands". As such, future development may not be possible. The Board of the Gorge Vale Golf Course is*

Objective and Policy	***Staff Comments***
Plan consistent with the land use policy designation described in Objective 1.1.	*currently seeking to have a portion of its land removed from the Agricultural Land Reserve in order to develop it for medium to high density mixed residential/commercial uses. The proposed development of a portion of the golf course would be consistent with the "Approaches" identified in the proposed Regional Growth Strategy under Objective 1 – namely:* - *Focus employment and population growth primarily in complete communities, located in areas that meet criteria described in Objective 3.1, that will encourage the development of walkable, bikeable and transit-focused areas with a dense mix of housing, employment, services an public open space;* - *Increase the proportion of apartments, row houses and other attached housing types within the Growth Policy Area, especially within complete communities; and* - *Locate a minimum of 95% of the region's new dwelling units to 2038 within the Growth Policy Area.* *The Gorge Vale Golf Course represents a fantastic opportunity to further the goals and objectives of the proposed Regional Growth Strategy for the "Growth Policy Area" which surrounds the Golf Course on all sides except for the First Nations Reserve which is exempt from the Regional Growth Strategy. Having it designated as "Renewable Resource Lands" because it is in the Agricultural Land Reserve is a classic "text out of context is pretext problem". As part of the Official Community Plan review, staff will be recommending that portions of the Gorge Vale Golf Course be designated for Commercial and Residential Mixed Use.* *This issue was identified by Council and forwarded to the Capital Regional District in a letter dated October 17, 2016 (Schedule "C"). The Board chose not to act on Council's request.* *Staff recommend that Council* ***not accept*** *this policy but indicate to the Board that it is willing that this provision be included in the proposed Regional Growth Strategy on the basis that the provision will not apply to the Township.*

Objective and Policy	***Staff Comments***
Objective 2.1 Protect, Conserve and Manage Ecosystem Health	
Policy 1. Ensure the long-term protection of Capital Green Lands depicted on Map 3. This could include policies for buffering and land use transition between Capital Green Lands and adjacent settled areas (i.e. lands within Rural/Rural Residential Land Use Policy Area as well as the Growth Policy Area), as well as policies aimed at enhancing, restoring or naturalizing Capital Green Lands.	*When Map 3 is enlarged approximately 1000 times (Schedule "D"), many small pixilated areas representing "Capital Green Lands" appear within the Township. It is impossible to positively identify most of them and absolutely impossible to accurately define the boundaries of each area. The proposed Regional Growth Strategy policy is incongruent with the lands indicated on Map 3 that are located within the Township. It is not reasonable that the Board would expect the Township to implement this policy on such small parcels of land that would have only a minute regional consequence.* *In addition, this policy could potentially block the Township from disposing of parkland through the statutory process outlined in the Community Charter.* *Staff recommend that Council* ***not accept*** *this policy but indicate to the Board that it is willing that this provision be included in the proposed Regional Growth Strategy on the basis that the provision will not apply to the Township.*
Objective 5.1 Realize the Region's Economic Potential	
Policy 3. Prioritize the attraction of new businesses and investment that will support climate action.	*The Township will prioritize the attraction of new businesses and investments that are desired by its citizens and that support the ship repair and refitting industry, high tech industry, and other allied industries irrespective of support for climate action.* *Staff recommend that Council* ***not accept*** *this policy but indicate to the Board that it is willing that this provision be included in the proposed Regional Growth Strategy on the basis that the provision will not apply to the Township.*
Policy 4. Ensure the long-term protection of Renewable Resource Lands depicted on Maps 3 and 4.	*As noted above, this would apply to the Gorge Vale Golf Course. Preventing the development of the Golf Course for housing or employment lands is a contradiction within the proposed RGS.* *Staff recommend that Council* ***not accept*** *this policy but indicate to the Board that it is willing*

Objective and Policy	*Staff Comments*
	that this provision be included in the proposed Regional Growth Strategy on the basis that the provision will not apply to the Township.

At the January 9th, 2017 Council meeting, the second motion passed by the Council of the Township of Esquimalt stated as follows:

That all additional concerns identified by Council regarding Esquimalt be forwarded to the CRD by staff, to include reconsideration regarding the order of Priorities. ***Carried Unanimously.***

The additional concerns that are referred to in the second main motion above are as follows:

1) Council would like the description of Esquimalt found in Appendix "A" amended by deleting the first sentence and adding reference in the description to Esquimalt's strengths such as its walkability and its outstanding green spaces.
2) Council would like to see the Climate Action objective moved up in the list of objectives. It is currently listed last; however, the importance of dealing with climate action is crucial and therefore, should be given greater importance by moving it up the list.

Please let me know if you have any questions relating to this matter.

Yours truly,

Anja Nurvo, BA, LLB
Director of Corporate Services

DISTRICT OF
HIGHLANDS

File 0470-43

January 31, 2017

CRD Board Chair Barb Desjardins
Via email: crdchair@crd.bc.ca *and*
Capital Regional District
625 Fisgard Street
Victoria BC V8W 2S6

Dear Chair Desjardins:

Re: 2016 Regional Growth Strategy Bylaw 4017 – District of Highlands' Referral Response

District of Highlands Council considered the 2016 RGS Bylaw 4017 at its meetings of January 16 and 30, 2017, and at its January 30, 2017 Meeting resolved:

> THAT Council refuse the 2016 Regional Growth Strategy Bylaw No. 4017, citing the removal of piped water services as a growth management tool (policy 2.2 (2)) as the provision to which it objects, and further that it be conveyed to the CRD that Council's reasons for wanting to retain the current restriction on water servicing within the RUSCPA are:
>
> 1. The use of piped water fosters a change in stewardship with regards to land use policy protecting the quality and quantity of aquifer resources.
> 2. The cumulative effect of piped water dependence is a society that is less resilient to major disaster events. Expansion of piped water services – a single system – to increasingly remote rural areas makes the whole system more vulnerable. This impacts all CRD communities.
> 3. Some communities appear to support proposed policy 2.2(2) with the rationale that it will allow them water for health and safety reasons. Highlands Council questions this reasoning because such provisions are in proposed policy 2.2(3).
> 4. Installing infrastructure in areas with low density is not a good use of regional funds and all of the CRD will face increasing costs of maintenance of the water system due to expanding piped water coverage.
> 5. The 2003 RGS is a stronger tool to support managed growth for the benefit of the entire region.
> 6. Incremental sprawl affects biodiversity, increases greenhouse gases and fundamentally negates the value of an RGS.

. . . /2

1980 Millstream Road, Victoria, British Columbia V9B 6H1
Tel: 250-474-1773 Fax: 250-474-3677 Web: www.highlands.ca

7. Maintaining control of water servicing at a regional level reinforces official community plans. Relying solely on official community plans is not adequate because OCPs can be amended easily. If they are changed to allow for more development (outside current servicing boundaries), there will be greater pressures on the rural fringes to develop. Over time, this will increase land values and negatively impact housing affordability.
8. Allowing piped water contradicts the objectives of an RGS as stated in Appendix B of the draft and therefore is not consistent with the requirements in the *Local Government Act*.

In response to *Local Government Act* section 436 (7)(c), Council is not willing to accept the RGS if policy 2.2 (2) would not apply to the District of Highlands.

If you have any questions, please do not hesitate to contact the undersigned.

Sincerely,

Laura Beckett, MURP, MCIP, RPP
Municipal Planner / Approving Officer

LB/lc

cc: *Mr. R. Lapham rlapham@crd.bc.ca*
Ms S. Bagh sbagh@crd.bc.ca
Ms E. Sinclair esinclair@crd.bc.ca

City of Langford
www.cityoflangford.ca

2017/01/31

Capital Regional District Board
625 Fisgard St
Victoria, BC V8W 2S6

Dear CRD Board members,

RE: City of Langford response to the CRD Regional Growth Strategy referral

Please be advised that at their Special Meeting held January 24th, 2017, that the Council for the City of Langford passed the following resolution with regards to the RGS:

a) CRD – 2016 Regional Growth Strategy Bylaw 4017 – for Municipal Acceptance - Staff Report (Planning)

MOVED BY: COUNCILLOR BLACKWELL
SECONDED: COUNCILLOR SIFERT

That Council accept the proposed new Regional Growth Strategy as contained in Bylaw No. 4017 and recommend its adoption to the CRD Board.

CARRIED.

Sincerely,

Jim Bowden,
Administrator

2nd Floor · 877 Goldstream Avenue · Langford, BC Canada · V9B 2X8
T · 250-478-7882 F · 250-478-7864

north saanich

CRD EXECUTIVE OFFICE
Received
JAN 25 2017

January 24, 2017

DNS File: 6440-20 RCS Amendments

Capital Regional District Board
Capital Regional District
625 Fisgard Street
Victoria, BC V8W 1R7
Attention: Barb Desjardins, Chair

☑ Chair ☐ Board
☑ CAO ☐ Communications
☑ GM EPS
☑ For action / resp. by Regional Planning
☐ Corresp. for Board / Committee meeting
☐ For Information Only
☑ Copies to S. Bagh
01/00-50 North Saanich

Dear Chair Desjardins:

Re: Bylaw 4017 "Capital Regional District Regional Growth Strategy Bylaw No. 1, 2016" Formal Referral

At the meeting held January 23, 2017, North Saanich Council adopted a resolution to reject the Capital Regional District formal municipal referral of Bylaw 4017 "Capital Regional District Regional Growth Strategy Bylaw No. 1, 2016". Pursuant to Section 436(7) of the *Local Government Act*, Council provides the following comments:

1. That Council objects to provisions Managing Growth 1.1 (Keep Urban Settlement Compact) and 1.2 (Protect the Integrity of Rural Communities) for the following reasons:
    a. there are not sufficient integrated objectives and targets with respect to reduced development pressures contained in the RGS which would strengthen the protection of rural communities;
    b. there are not clear population projections broken by municipality to provide sufficient certainty;
    c. there is not sufficient strength in aspirational targets such as the food systems target to ensure objectives are met, particularly containing development and meeting crop production goals;
    d. food systems targets are not linked to food security and climate change targets;
    e. meeting climate action targets are not linked specifically to rural communities. The District of North Saanich has a high percentage of transportation by cars and a large agricultural land base which may limit its ability to meet climate change targets. The RGS does not fully integrate climate action considerations into all aspects of regional growth management;
    f. the RGS ought to specifically demonstrate how land use designations in Regional Context Statements correspond to the RGS to limit growth; and

g. that urban containment boundaries are a more certain and effective approach to protecting rural communities than emphasizing urban growth areas.

2. That Council objects to provisions 2.2 Manage Regional Infrastructure Services Sustainably for the following reasons:
   a. that the expansion of water services promotes growth in rural areas

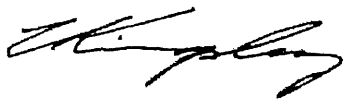
3. That Council objects to provisions in 4.1 Improve Multi-Modal Connectivity for the following reasons:
   a. that the transportation plan is not sufficiently integrated with population projections

4. That Council objects to the provisions in 6.1 Foster a Resilient Food and Agriculture System for the following reasons:
   a. the target of 5,000 ha is aspirational and not linked to population projections or food security

North Saanich Council is not willing to include any of the objectionable provisions in the Regional Growth Strategy on the basis that the provision will not apply within the District of North Saanich except for reason 1.b.

On behalf of the Mayor and Council or the District of North Saanich, thank you for your attention to this matter.

Sincerely,



Curt Kingsley
Director of Corporate Services

THE CORPORATION OF THE DISTRICT OF OAK BAY
MUNICIPAL HALL – 2167 OAK BAY AVENUE – VICTORIA, B.C. V8R 1G2
PHONE 250-598-3311 FAX 250-598-9108 WEBSITE: www.oakbay.ca

CRD EXECUTIVE OFFICE
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January 16, 2017

☐ Chair ☐ Board
☐ ☐ Communications
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sp. for Board / Committee Meeting
Information Only
S. Bagh
0400-50 Oak Bay

Brent Reems
Senior Manager, Legislative
And Information Services
Capital Regional District
625 Fisgard Street
P.O. Box 1000
Victoria, BC V8W 2S6

Dear Mr. Reems:

Regional Growth Strategy Amendment Bylaw

Your correspondence dated November 9, 2016 was considered by Oak Bay Municipal Council at its meeting held January 9, 2017.

At that time, Council passed the following resolution:

> *"That Council accept the RGS Bylaw No. 4017, the Capital Regional District Regional Growth Strategy Bylaw No. 1, 2016, and direct staff to notify the Capital Regional District of their acceptance."*

Yours truly,

Maura Jones

Maura Jones
Deputy Director of Corporate Services

MJ/jp

cc: Manager of Planning

District of Saanich
Legislative Services
770 Vernon Ave.
Victoria BC V8X 2W7

t. 250-475-1775
f. 250-475-5440
saanich.ca

LEGISLATIVE SERVICES

File: 2160-20

January 30, 2017

Chair Barbara Desjardins and Directors
Capital Regional District
PO Box 1000
625 Fisgard Street
Victoria BC V8W 2S6

Dear Chair Desjardins and Directors:

RE: 2016 Regional Growth Strategy – Proposed Comprehensive Update to 2003 Regional Growth Strategy

This letter confirms that at their meeting held January 23, 2017, Council considered a report of the Director of Planning dated January 13, 2017 and Bylaw 4017, Capital Regional District Regional Growth Strategy Bylaw No. 1, 2016 and resolved as follows:

> *"That Council not accept Bylaw 4017, Capital Regional District Regional Growth Strategy Bylaw No. 1, 2016,"* for the following reasons as outlined in Option 1 of the report of the Director of Planning dated January 13, 2017:
>
> - There is insufficient direction for growth management within the Growth Area to provide a predictable land use pattern that could focus transportation and infrastructure investment and create less carbon intensive development; and
> - The proposed criteria for water servicing extensions are insufficient to prevent significant additional development in outlying rural areas that would contribute to transportation issues, increase greenhouse gas emissions and divert development away from land inside the Growth Area boundary.

If you require further clarification, please contact me at 250-475-5494, Ext. 3500.

Sincerely,

Donna Dupas,
Legislative Manager

dh

Attachments

cc: Mayor and Council
Paul Thorkelsson, CAO
Sharon Hvozdanski, Director of Planning
Brent Reems, Senior Manager, Legislative and Information Services

2160-20
Regional Growth Strategy

2016 REGIONAL GROWTH STRATEGY – PROPOSED COMPREHENSIVE UPDATE TO 2003 REGIONAL GROWTH STRATEGY (RGS)

MOVED by Councillor Derman and Seconded by Councillor Haynes: "That Council not accept "Bylaw 4017, Capital Regional District Regional Growth Strategy, Bylaw No. 1, 2016" for the following reasons as outlined in Option 1 of the report of the Director of Planning dated January 13, 2017:

- **There is insufficient direction for growth management within the Growth Area to provide a predictable land use pattern that could focus transportation and infrastructure investment and create less carbon intensive development; and**
- **The proposed criteria for water servicing extensions are insufficient to prevent significant additional development in outlying rural areas that would contribute to transportation issues, increase greenhouse gas emissions and divert development away from land inside the Growth Area boundary."**

CARRIED

1410-04
Report – Planning

xref: 2160-20
Regional Growth Strategy

2016 REGIONAL GROWTH STRATEGY – PROPOSED COMPREHENSIVE UPDATE TO 2003 REGIONAL GROWTH STRATEGY (RGS)

Report of the Director of Planning dated January 13, 2017 recommending that Council not support Bylaw 4017 "Capital Regional District Regional Growth Strategy Bylaw No. 1, 2016".

In response to questions from Council, the Manager of Community Planning stated:

- The 2003 RGS Bylaw links water servicing to the growth containment boundary and sewer servicing and does not permit extensions except in the cases of fire suppression, public health or environmental issues; the proposed 2016 bylaw includes some criteria for extensions for water servicing outside the growth containment boundary including majority approval from the Capital Regional District (CRD) Board. A provision also has also been added to permit water service along existing lines that service agricultural lands within the Agricultural Land Reserve (ALR) provided there is no increase to density.
- View Royal and Esquimalt Councils have rejected the proposed bylaw, ensuring it will be entering into a dispute resolution process.
- If Saanich rejects the proposed bylaw, they would partner in selecting the dispute resolution process and through the Council motion provide input into the issues that would be part of that process.
- If Saanich accepts the proposed bylaw, they would have the option to still participate in the dispute resolution process, but would not have input into the type of process that is used or the issues to be discussed as part of the process.
- Staff comments would not form part of the communications to the CRD but specific rationale for rejection could be included.

In response to questions from Council, the Chief Administrative Officer stated:

- It will be important for Saanich to participate in the dispute resolution process regardless of the decision made in relation to the proposed bylaw; it is necessary to make Saanich's policy perspective clear.

In response to questions from Council, the Director of Planning stated:

- In terms of determining and measuring sustainability, there are agreed upon standards; an excerpt in the Official Community Plan (OCP) references the foundational work of the Brundtland Report which speaks of "not making decisions that would preclude those coming behind us from having an equal quality of life that we enjoy"; livability is also well defined through long standing planning and urban design principles

PUBLIC INPUT:

J. Anderson, Lauder Road, stated:

- Saanich Council is to be complimented on the leadership provided at the Capital Regional District; Saanich should go on record to highlight concerns with the proposed bylaw.
- The initiative on transportation needs to be strengthened; if there are to be "centres", mobility and linkages need to be priorities.

T. Barry, Lily Avenue, stated:

- Saanich is the largest and most significant partner in the RGS; the proposed changes in the bylaw provides incentives and subsidies to other municipalities.
- Growth needs to be contained and be located as close to centres as possible or built as properly planned "nodes" with amenities.
- This is an opportunity to give direction to the CRD to create a RGS that reflects sustainability priorities.

R. Wickson, Inez Drive, stated:
- The RGS is an opportunity to influence regional intrusions; all decisions should reflect Saanich's goals.

C. Horne, Knight Avenue, stated:
- The RGS is concerning; other municipal RGS include plans for where growth will happen.
- The proposed bylaw influences other municipalities through their regional context statement of their OCP in that they must adhere to the RGS.
- It is important that First Nations are included in consultation for the RGS.

COUNCIL DELIBERATIONS:

Motion: **MOVED by Councillor Derman and Seconded by Councillor Brice: "That it be recommended that Council not accept "Bylaw 4017, Capital Regional District Regional Growth Strategy, Bylaw No. 1, 2016" for the following reasons as outlined in Option 1 of the report of the Director of Planning dated January 13, 2017:**

- **There is insufficient direction for growth management within the Growth Area to provide a predictable land use pattern that could focus transportation and infrastructure investment and create less carbon intensive development; and**
- **The proposed criteria for water servicing extensions are insufficient to prevent significant additional development in outlying rural areas that would contribute to transportation issues, increase greenhouse gas emissions and divert development away from land inside the Growth Area boundary."**

Councillor Derman stated:
- The region needs to aim for a compact region around a central core; removing the word "centre" has decreased the ability for that to take place.
- The emphasis on climate change mitigation has weakened; the bylaw should reflect using climate change mitigation as a lens through which decision making will take place.

Councillor Murdock stated:
- It is disappointing that municipalities and the CRD were not able to work together collaboratively and that arbitration is necessary; it is indicative of a region divided.

Councillor Brice stated:
- Council has supported different strategies that are not reflected in the proposed bylaw; it is necessary to go on record and use Saanich's influence to hold out for

a better plan for a more sustainable community.
- Council should maintain its environmental integrity.

MOVED by Councillor Derman and Seconded by Councillor Brice: "That the meeting continue past 11:00 p.m."

CARRIED

Councillor Haynes stated:
- The staff report is thorough and concise; "using climate change mitigation as a lens" need to be defined in terms of a Saanich perspective.
- This is a vote to support Saanich's vision.

Councillor Sanders stated:
- It will be important to be at the table to ensure that what Saanich feels strongly about is represented; the proposed bylaw is disappointing.

Councillor Wergeland stated:
- In 2003, some municipalities may have felt there would be flexibility in the bylaw; it is important to move forward and build relationships with other municipalities.

The Motion was then Put and CARRIED

ref. 2160-20

Council Agenda

The Corporation of the District of Saanich

Report

Mayor
Councillors
Administrator

Council
Administrator
Media
Jan 16/17 AA

To: Mayor and Council

From: Sharon Hvozdanski, Director of Planning

Date: January 13, 2017

Subject: 2016 Regional Growth Strategy – Proposed Comprehensive Update to 2003 Regional Growth Strategy
File: 2160-20

PURPOSE

The purpose of this report is to:

1. Provide background information on the existing Regional Growth Strategy, the current update process, and the dispute resolution process;
2. Highlight key legislative authority considerations related to the review process;
3. Outline the CRD's response to issues previously identified by Saanich Council during the informal referral of the proposed Regional Growth Strategy in March 2016;
4. Provide an overview of substantive changes made to the proposed Regional Growth Strategy since the informal referral in March 2016;
5. Outline potential options for Council to consider; and
6. Seek Council's recommendation on the proposed amendment so that it can be conveyed to the Capital Regional District within the prescribed 60-day referral period.

BACKGROUND

Existing Regional Growth Strategy

In 1995, the Provincial Government passed into law the "Growth Strategies Act". The purpose of this provincial initiative was to encourage regional districts and member municipalities to prepare for growth and future change in an integrated manner. The "Growth Strategies Act" provides a framework for interactive planning between municipalities and a regional district. Member municipalities are bound to the Regional Growth Strategy (RGS) through adoption of Regional Context Statements in their Official Community Plans.

The "Local Government Act" provides direction for content and process and states that a Regional Growth Strategy must address: Housing; Transportation; Regional district services; Parks and natural areas; Economic development; and Greenhouse gas emissions.

In February 1996, the Capital Regional District Board formally initiated a Regional Growth Strategy. After significant public and stakeholder consultation, the Regional Growth Strategy was formally adopted by the Capital Regional District (CRD) Board, with the support of all municipalities, on August 13, 2003.

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The Regional Growth Strategy includes eight strategic initiatives that together express a 25-year program for this joint partnership reflective of the content and process set out in the "Local Government Act". The eight strategic initiatives of the existing (2003) Regional Growth Strategy are: Keep urban settlement compact; Protect the integrity of rural communities; Protect regional green and blue space; Manage natural resources and the environment sustainably; Build complete communities; Improve housing affordability; Increase transportation choice; and Strengthen the regional economy.

Current Regional Growth Strategy Update

A process to update the existing District Regional Growth Strategy (2003) has been underway since 2008. The Growth Strategy is a regional vision that commits affected local municipalities to a course of action to meet common social, economic, and environmental objectives. The updated Regional Growth Strategy would set the vision for the future of the region to 2038.

At the outset, the primary focus of the update was to transition the Regional Growth Strategy (RGS) to a Regional Sustainability Strategy (RSS) that would address a broader range of subject matter. However, on October 25, 2015, the CRD Board directed staff to revert the Regional Sustainability Strategy to a Regional Growth Strategy. This decision reflects the CRD Board's desire to focus more on the statutory requirements of a Regional Growth Strategy with an emphasis on: Meeting legislative requirements; Incorporating directions from adopted plans; and Providing up to date data and information.

A draft 2016 RGS was presented to the CRD Board on March 9, 2016, following which an informal referral was made to local governments for comment. Comments on key issues and potential implications were provided by Saanich Council on May 16, 2016.

The CRD Board considered comments from member municipalities at their June 29, 2016 meeting, following which direction was provided to:

- Integrate a section on food and agriculture;
- Integrate a section describing municipalities;
- Integrate water servicing criteria;
- Provide for climate action as the overarching objective of the RGS;
- Edit the document to improve clarity and comprehensiveness; and
- Integrate additional policy provisions to ensure all policy that was covered in the Regional Sustainability Strategy is covered in the draft RGS.

The Regional Growth Strategy Bylaw was revised and received 1st and 2nd reading on July 13, 2016. A Public Hearing was held on October 19, 2016. As a result of subsequent amendments, an amended 2016 Regional Growth Strategy Bylaw received 1st and 2nd reading on November 9, 2016.

The amendments made after the October 19, 2016 Public Hearing, and which are further explored in the Discussion section of this report are:

- Reducing the Rural/Rural Residential Area and expanding the extent of the Renewable Resource Lands Policy Area shown in Map 3 Growth Management Concept Plan in the community of Shirley-Jordan River to reflect the recently completed OCP; and
- Proposed amendment to the 2003 RGS, which is included in the Proposed 2016 RGS Bylaw, to include 154 hectares within the RUCSPA (Growth Area) as part of a boundary adjustment between the District of Metchosin and the City of Langford.

A referral to municipal councils for acceptance or rejection as per Section 436 of the "Local Government Act" was made on December 2, 2016. Referral for municipal acceptance is the last step in the provincially-mandated update process before the Regional Growth Strategy bylaw can be adopted. The referral period is 60 days, beginning December 2, 2016 and ending on February 1, 2017. A non-response is considered to be a response in support of the proposed amendment bylaw.

Dispute Resolution Process

Before the CRD Board can adopt the Regional Growth Strategy Bylaw, it must be accepted by all municipalities. If acceptance by all parties cannot be reached, provincial legislation sets out a dispute resolution process for resolving the outstanding matters.

At the date this report was finalized, two municipalities, Esquimalt and View Royal have voted to not accept the Regional Growth Strategy. This assures that a dispute resolution process will be required in order to reach acceptance.

Issues highlighted in Council rejection motions will be the subject of the dispute process. Local governments who accept the Regional Growth Strategy Bylaw are also able to participate in the settlement process.

LEGISLATIVE AUTHORITY

The "Local Government Act" requires the Capital Regional District (CRD) Board to submit a proposed Regional Growth Strategy bylaw to: member municipalities; the Board of the adjoining Regional District; and the Minister of Community Services for formal consideration, following the Public Hearing, and prior to third reading.

Legislation requires affected local governments to respond to the Regional District Board within 60 days of formal notification, with a resolution to either:

- Accept the proposed Regional Growth Strategy; or
- Not accept the proposed Regional Growth Strategy, and outline their reasons for objecting.

In order for the CRD Board to be able to adopt a Regional Growth Strategy amendment bylaw, unanimous support from member municipalities is required. The legislative process for amending the Regional Growth Strategy is the same as it was for its original adoption in 2003.

When a Regional Growth Strategy is adopted, Saanich and other municipalities will be required to update the Regional Context Statement in their Official Community Plans within two years of Regional Growth Strategy Bylaw adoption.

As previously noted, the formal Regional Growth Strategy Bylaw referral period is 60 days, beginning December 2, 2016 and ending on February 1, 2017. A non-response is considered to be a response in support of the proposed amendment bylaw.

DISCUSSION

This report provides an analysis of the proposed 2016 Regional Growth Strategy (RGS) Bylaw. As part of the earlier informal referral of the draft Regional Growth Strategy in early 2016, staff assessed the document from a Saanich perspective and Council provided comment on potential

issues and areas of change to the CRD. Given this context, the discussion section of this report focuses of three areas:

- An overview of the structure of the proposed 2016 Regional Growth Strategy Structure;
- An examination of the CRD's response to issues previously identified by Saanich Council as part of the informal referral in March 2016; and,
- An overview and assessment of substantive changes to the document that have occurred since the informal referral in March 2016.

Proposed 2016 Regional Growth Strategy Structure

Overall, the proposed 2016 RGS Bylaw maintains the general direction of the 2003 Regional Growth Strategy, with the following updated sections and objectives serving as the framework:

Managing and Balancing Growth
Keep Urban Settlement Compact
Protect the Integrity of Rural Communities

Environment and Infrastructure
Protect, Conserve and Manage Ecosystem Health
Manage regional Infrastructure Services Sustainably

Housing and Community
Create Safe and Complete Communities
Improve Housing Affordability

Transportation
Improve Multi-Modal Connectivity and Mobility

Economic Development
Realize the Region's Economic Potential

Food Systems (new)
Foster a Resilient Food and Agriculture System

Climate Action (new)
Significantly Reduce Community-Based Greenhouse Gas Emissions

CRD Response to Issues Previously Identified by Saanich Council

As part of the informal review of the draft 2016 Regional Growth Strategy (RGS) an analysis of the document was undertaken by staff and presented to Council for review and consideration. A staff report was presented to Council at its May 16, 2016 Committee of the Whole meeting where the following motion was endorsed:

"That Council

1. Support the integration of a regional food and agricultural systems section into the 2016 Regional Growth Strategy.

2. Request that the CRD incorporate more stringent criteria to guide any future piped water service extensions.

3. Request that the CRD add policies to Section 5 of the 2016 Regional Growth Strategy to address: The protection of industrial land; and Collaboration on issues of regional economic development, including through shared research and analysis, and work with regional economic development entities.

4. Request that the CRD integrate the following points into an updated community profile for Saanich: Mention that Saanich's framework for growth is based on sustainability and livability; Recognition of environmental integrity as paramount for ensuring social wellbeing and economic vibrancy; and Acknowledgement of the role "Centres" and "Villages" play in managing growth and building complete communities.

5. Request that the CRD include language to establish climate change mitigation and adaptation as an overarching lens through which all decision making and subsequent actions must pass."

This section of the report identifies how the items identified in the May 16, 2016 motion have been addressed in the proposed 2016 Regional Growth Strategy Bylaw.

1. Food and Agricultural Systems

The initial draft 2016 Regional Growth Strategy did not include any new content related to agriculture and food systems. Following informal referral and direction from the CRD Board, a section on food systems is now included with the main objective to "Foster a Resilient Food and Agriculture System". Its aim is to: Enable food production, processing, distribution; Foster a place-based food economy that increases access to local, nutritious, safe and culturally appropriate food; Support food waste management that is environmentally sustainable, benefits the regional economy; and Improve resident's connection to rural and agricultural landscapes.

In addition, policy has also been included in the Economic Development section of the Regional Growth Strategy to ensure long-term protection of Renewable Resource Lands and to address the need for transition buffer areas that support farming within the Agricultural Land Reserve.

Staff comment: The food systems section in the proposed 2016 Regional Growth Strategy adequately addresses the previous Saanich comments. Regional Growth Strategy principles and policy together with the CRD Food and Agriculture Strategy will serve as tools to address this regional issue and guide future regional decision making.

2. Piped Water Servicing as a Growth Management Tool

The initial draft 2016 Regional Growth Strategy did not include water as a growth management tool. This represented a significant departure from the 2003 Regional Growth Strategy, which restricted water and sewer servicing outside the Regional Growth Containment Area. In the draft 2016 Regional Growth Strategy all references to restricting water extensions outside the Growth Containment Area were removed.

As part of its response to the draft Regional Growth Strategy, Saanich Council passed a motion on May 16, 2016 to "Request that the CRD incorporate more stringent criteria to guide any future piped water service extensions". In other feedback to the CRD, piped water service was viewed by a number of communities as being a key tool to manage growth and meet Regional Growth Strategy objectives. That being said, other communities felt that the 2003 Regional Growth Strategy was too restrictive.

Based on the informal referral feedback and Public Hearing comments, a number of water servicing options were considered by the CRD. As a result, the proposed 2016 Regional Growth Strategy was updated to include several policies to guide future water service extensions. This represents a major change from the 2003 Regional Growth Strategy, which restricted piped water service extensions outside the Growth Containment Area, except to address public health or environmental issues, to provide fire suppression or to support agriculture.

The proposed 2016 Regional Growth Strategy Bylaw maintains the exceptions for public health, environment, fire suppression and agriculture, but introduces criteria to guide water service extensions, including those outside the Growth Area. Policy 2 under Objective 2.2 outlines the criteria for water service extensions, both for municipalities and the Juan de Fuca Electoral Area, as follows:

"2. Provide new water system services (public or private) only to areas where:

a) For a municipality, the areas to be serviced are shown on RGS Map 3 as either Growth Policy Area or Rural/Rural Residential Policy Area and the area to be serviced is consistent with OCP servicing provisions and an accepted Regional Context Statement identifies the population to be serviced and how growth in water demand will be addressed. Before approving a new water service bylaw, the full CRD Board must review the request for the new bylaw as it relates to the Regional Growth Strategy and deem the new bylaw consistent with the Regional Growth Strategy. This review is to include a detailed analysis of costs and cost recovery implications, including implications, related to parcel taxes, fees, charges and grants, and subject to the principles as noted above.

b) For the Juan de Fuca Electoral Area, the areas to be serviced are shown on RGS Map 3 as either Growth Policy Area or Rural/Rural Residential Policy Area and the area to be serviced is consistent with OCP servicing provisions and the applicable OCP identifies the population to be serviced and how growth in water demand will be addressed. Where new water system services are provided to the community of Shirley-Jordan River, areas to be serviced may also include lands shown on RGS Map 3 as Renewable Resource Lands Policy Area and designated in the OCP as Coastal Uplands subject to limiting development potential of serviced parcels to a density of one parcel per four hectares, as set out in the OCP."

Additionally, Policy 4 in this section permits the provision of water service to residential units within the Agriculture Land Reserve that are along an existing line that services agriculture, provided that the municipality's OCP prevents further subdivision or residential density increases.

Staff Comment: The changes incorporated into the proposed 2016 Regional Growth Strategy Bylaw provide more guidance for water extensions than the previous draft version, which removed water service as a growth management tool. However, the integrity of the overall growth management policy framework is degraded, as the explicit link between the growth containment boundary, sewer service and water service is removed. The potential areas where water service could be incorporated is greatly expanded, as the area of land designated as Rural / Rural Residential is roughly equivalent to the area of land within the Growth Area Boundary.

For municipalities, expansion to water service would be evaluated based on adherence to the relevant municipal OCP and require an indication how future water demand would be addressed. Provisions are included to enable the CRD Board to review new water service bylaws for consistency with the Regional Growth Strategy, with information on costs and cost recovery to assist in their decision-making. This approach would enable a significant area of the region to potentially have access to piped water service.

For the Juan de Fuca Electoral Area, similar requirements for consistency with local OCPs is required for expansion of water service. Additionally, in Shirley-Jordan River water service may be provided in areas designated as Renewable Resource lands, provided they are designated as Costal Uplands in the OCP, with a development limit of one parcel per four hectares. Similar to municipalities the CRD Board would need to approve new water service bylaws in the Juan de Fuca Electoral Area. Including similar language around CRD Board approval, as is noted for municipal extensions, would help to provide clarity around the approval process. While OCPs in the Juan de Fuca Electoral Area provide density limits, the provision of water service would increase the viability of development and increase the likelihood of densification in areas far from urban centres.

Provisions to enable water service to residential properties along pre-existing water lines that service agricultural lands are supportable. This helps improve the overall sustainability of operation and maintenance of these lines and includes language to limit any future subdivision or density increases. Additionally, given that the core infrastructure already exists, significant capital expenditures would not be required.

The criteria incorporated into the proposed Regional Growth Strategy Bylaw represent a move away from water as a growth management tool, but provides more guidance than the previous Regional Growth Strategy draft. This could have potential impacts for climate change, compact settlement patterns and fiscal sustainability of infrastructure systems. The availability of water service in Rural/Rural Residential areas will increase the viability of development in these areas outside the regional Growth Area boundary and contribute to transportation issues, increase greenhouse gas emissions and work against the objective of keeping settlement compact. Generally, the delivery of infrastructure is more efficient and cost-effective in areas where there is a higher density of users. Servicing development with low density is generally more costly, with overall system cost implications for operation and maintenance.

3. Economic Development Content

The economic development section of the draft 2016 Regional Growth Strategy largely contained the contents of the 2003 Regional Growth Strategy minus the direction around the creation of an Economic Development Strategy. Saanich feedback during the informal referral suggested this content could be enhanced, including through directions around protection of industrial lands and collaboration on issues of regional economic development.

Resulting from feedback received following the informal review by local municipalities and direction to include content from the Regional Sustainability Strategy, a number of enhancements were included to the proposed 2016 Regional Growth Strategy document, namely: Prioritization of attracting businesses that will support climate action; Policies to support the food agriculture economy; and Policy to support regional collaboration on issues surrounding the supply and demand for employment lands.

Staff comment: Changes have been made to enhance the economic development section with respect to collaboration on regional issues, climate action and the agricultural economy. Though the protection of industrial lands is deemed as important from a Saanich and regional perspective, it is important to note that the CRD does not have a direct role in economic development or the ability to protect or ensure adequate supply of industrial lands. In general, previous suggestions have been addressed within the scope of the CRD's mandate.

4. Community Profile Update

The proposed 2016 Regional Growth Strategy includes updated profiles of all regional municipalities and electoral areas, reflecting input from municipalities during the informal referral process. Saanich's profile reads as follows:

"Environmental integrity is paramount to ensuring social wellbeing and economic vibrancy. Saanich remains a series of community focused neighbourhoods, within an urban containment boundary that clearly separates the urban area from the rural portion of the municipality. This growth framework is based on principles of sustainability and livability. Rural Saanich forms part of the peninsula farm lands. Population increases are managed within the context of the local area planning process, where land use, density and development policies direct growth to "Centres" and "Villages" to build complete communities that encourage diversity of lifestyle, housing, economic and cultural opportunities."

Staff comment: This revised statement is reflective of changes highlighted by Saanich during the informal review process and is consistent with the Saanich OCP vision.

5. Climate Change as an Overarching Lens

The Council motion passed on May 16, 2016 included comment to the CRD to "include language to establish climate change mitigation and adaptation as an overarching lens through which all decision making and subsequent actions must pass".

The proposed 2016 Regional Growth Strategy Bylaw addresses this comment through revision of the Strategy's vision to note that "Our choices reflect our commitment to collective action on climate change". A figure that emphasizes Regional Growth Strategy interconnections has been introduced to show relationships between various parts of the Strategy and highlight climate change as the overarching lens that links all elements together. Additionally, policies have been added to address climate change mitigation and adaptation in various sections of the strategy, including Housing and Community and Economic Development.

Staff Comment: The incorporation of a revised vision, text framing the objectives, new policies and a figure that highlights the primary role of climate change in framing directions helps to address previous Council comments. Ultimately, regional decision-making with respect to the Strategy's fundamental objectives and growth management framework will dictate how well climate change mitigation and adaptation are addressed.

Substantive Changes to the RGS since the Informal Referral Process

The proposed 2016 Regional Growth Strategy Bylaw includes a number of substantive changes that have been made since the informal referral process in March 2016. Some of these changes are the result of feedback from member municipalities and stakeholders, while others are in response to concurrent planning processes. Substantive changes for Council's review and consideration are as outlined below:

1. Changes to land use designations;
2. Revisions to designations in Shirley-Jordan River to align with their recently completed OCP;
3. Inclusion of portions of Port Renfrew in the Growth Area on Map 3; and
4. Expansion of the Growth Area to include 154 hectares as part of a municipal boundary adjustment to transfer the land from the District of Metchosin to the City of Langford.

1. Changes to Land Use Designations

The proposed 2016 Regional Growth Strategy Bylaw contains a number of changes to land use designations that have been made since the March 2016 draft Regional Growth Strategy was informally referred for comment. These changes relate to Section 1 - Managing and Balancing Growth and Map 3 - Growth Management Concept Plan and are:

- Change in designation terminology from "Regional Urban Containment and Servicing Policy Area" to "Growth Area";
- Removal of designation identifying Metropolitan Core and Major Centres; and
- Removal of the Unprotected Green Space Designation and changes to the Rural/Rural Residential Designation.

Change from "Urban Containment and Servicing Policy Area" to "Growth Area"
Language in the Land Use Designation definitions and on Map 3 has been changed from "Regional Urban Containment and Servicing Policy Area" to "Growth Area". The rationale for the change is twofold. Firstly there is a desire for simpler terminology. Secondly given the changes to water servicing policy there is no longer an explicit link between the provision of servicing and growth containment boundaries.

Saanich staff is concerned over the change in terminology and the weakening of this fundamental approach to both growth management and sustainability. The term growth/urban containment conveys more strongly the intent of focusing more dense development within a prescribed area.

CRD staff indicated the name change reflects the CRD Board direction that water servicing not be used as a growth management tool.

Removal of Reference to "Metropolitan Core and Major Centers"
The existing 2003 Regional Growth Strategy and March 2016 draft Regional Growth Strategy both identified the Metropolitan Core and eight Major Centres within the Growth Management Concept Plan Map. Of the eight Major Centres, five were either completely or partially in Saanich.

The proposed 2016 Regional Growth Strategy Bylaw removes any reference or mapping of "Major Centres" and the "Metropolitan Core" and instead uses general criteria for complete communities and notes that future population and employment growth should be directed to areas that meet these objectives.

In removing the defined growth hierarchy, the proposed Regional Growth Strategy defers to individual municipal OCPs with respect to where population and employment centres should develop. This approach effectively diminishes the significant value of a regionally coordinated approach to growth management found in the current Regional Growth Strategy.

Without a coordinated and thoughtful regional approach to growth, it makes it more difficult to provide a predictable land use pattern that would allow for focus transportation and infrastructure investment and the creation of less carbon intensive development.

Changes to Rural/Rural Residential Policy Area and Removal of Unprotected Green Space Policy Area Designation

In the proposed 2016 Regional Growth Strategy Bylaw the previous designations of Rural/Rural Residential and Unprotected Green Space Policy Area have been folded into one designation, Rural/Rural Residential.

In the existing 2003 Regional Growth Strategy, the intent of the designations was largely the same, except that the Unprotected Green Space Policy Areas included areas identified in the Regional Green/Blue Space Strategy as areas of potential ecological value that may require protection through a variety of means such as Development Permit Areas.

The language around identifying and protecting areas with ecosystem benefits through a variety of tools has been incorporated into the Rural/Rural Residential designation, reflecting the key emphasis of the Unprotected Green Space designation. The Environment and Infrastructure section also includes new principles to manage ecological resources and policies referring to the use of a variety of tools to protect, restore and enhance ecosystem health in general, as opposed to a specific link to the Unprotected Green Space designation.

An additional change noted in the Rural / Rural Residential designation is with respect to commercial uses. Previously the designation noted that the area included "isolated local commercial and industrial land uses" in areas of predominantly rural character. The proposed 2016 Regional Growth Strategy Bylaw notes that "Commercial uses are local serving and such uses and other employment opportunities result in minimal impact to the surrounding community and to the environment." There is a distinction here, as local serving could potentially have a much broader connotation than isolated local uses.

Staff comment: By themselves, the changes to land use designations do not dramatically change the fundamental intent of the Regional Growth Strategy, as supporting policies, such as stating that new development in rural areas should not exceed 5% of all new dwelling units serve to make the objectives of the Regional Growth Strategy clear.

However, in comparison to the existing 2003 Regional Growth Strategy, it would appear that the proposed 2016 Regional Growth Strategy, with its loss of language around urban containment, removal of Major Centres and Metropolitan Core designations and removal of the Unprotected Green Space designation has a reduced emphasis on a regional and focused approach to sustainable growth management.

2. Shirley-Jordan River Land Use Designation Change

The community of Shirley-Jordan River has been working on their Official Community Plan concurrently with the Regional Growth Strategy update. In earlier stages of the Regional Growth Strategy process, land use policy was still being developed for the Shirley-Jordan River area, therefore Regional Growth Strategy policy area designations were shown at their most expansive, pending the outcome of the Shirley-Jordan River planning process.

With the recent conclusion of the Shirley-Jordan River OCP planning process, the proposed 2016 Regional Growth Strategy Bylaw has been updated to reflect these changes. This includes re-designating 1779 hectares in Shirley Jordan River from Rural/ Rural Residential Policy Area to Renewable Resource Land Policy Area. The affected lands are currently within the Private Managed Forest Lands program.

The Regional Growth Strategy sets out in policy the continued long-term use of the Renewable Resource Lands Policy Area as renewable resource working landscapes. The Renewable Resource Lands Policy Area allows for residential use so long as forestry is the primary use. The CRD staff report dated September 21, 2016, indicates that while the area is proposed for forestry use, single family residential is also supported but limited to a minimum lot size of 4 ha by the OCP Coastal Upland designation.

Staff Comment: Re-designating 1779 hectares as Renewable Resource Area Policy Area will better support Regional Growth Strategy growth management objectives and provide more predictability around the footprint of development in Shirley-Jordan River. Given the proposed changes in water servicing policy, reducing the quantity of land designated as Rural / Rural Residential is desirable to assist in sustainable growth management.

3. Inclusion of a Portion of Port Renfrew in the Growth Area

The existing 2003 Regional Growth Strategy and draft 2016 Regional Growth Strategy identified the central area of Port Renfrew as Rural/Rural Residential. In response to comments received during the informal referral, the proposed 2016 Regional Growth Strategy Bylaw was amended to change this designation to Growth Area. .

The inclusion of this area within the Growth Area would recognize existing servicing and the direction of the Port Renfrew Comprehensive Community Development Plan, which has been in place since 2004. The CRD currently operates a water and sewer service within a portion of the area proposed to be added within the Growth Area. The proposed amendment would acknowledge the Port Renfrew Comprehensive Community Development Plan Area as a growth area and allow the expansion of services within the designated area.

It should be noted that zoning in the Port Renfrew OCP allows for differential densities depending on the level of servicing provided. The two primary zoning designations within the area are Tourism Commercial 1 and Community Residential 1. For Tourism Commercial 1, if the parcel is not serviced the minimum parcel size is 4 hectares, if it has sewer or water hook-up the minimum parcel size changes to 0.4 hectares and if it has both sewer and water there is no minimum parcel size. For Community Residential, if a parcel is hooked up to both sewer and water the minimum parcel size changes from 1 hectare to 0.1 hectare.

In advance of adoption of the updated Regional Growth Strategy, a motion was put forward at the CRD Board to extend water serving within the entire Port Renfrew Comprehensive Community Development Plan area. In response, on November 23, 2016, the CRD Board confirmed the intent to provide water service within the Comprehensive Community Development Plan area in Port Renfrew.

Staff Comment: The proposed change acknowledges the Port Renfrew Comprehensive Community Development Plan's objective to develop a town centre in Port Renfrew. A water

and sewer service already exists in Port Renfrew for a portion of the land proposed to be included in the Growth Area, with recent direction from the CRD Board to provide water service to the entire area. While the changes have the potential to significantly increase the quantity of development in Port Renfrew, the footprint is consistent with the area identified in Port Renfrew's Comprehensive Community Development Plan. Additionally, given the distance from other urban centres in the CRD, the development is more likely to support the development of a complete community in Port Renfrew, as opposed to rural sprawl associated for Electoral Area land closer to existing urban centres.

4. Metchosin-Langford Boundary Adjustment and Inclusion in Growth Area

The proposed 2016 Regional Growth Strategy Bylaw includes an amendment to the Growth Area boundary to reflect an in progress change to the 2003 Regional Growth Strategy. The change expands the Growth Area by 154 hectares and adjusts the boundary between Metchosin and Langford.

Due to the time sensitivity of this proposal, an amendment application to the 2003 RGS was advanced. This amendment is going through the legally mandated approval process, which includes referral to member municipalities.

In response to the formal referral from the CRD, Saanich Council, on December, 19, 2016 voted to support the amendment to the 2003 Regional Growth Strategy.

OPTIONS

Option 1 - Not Accept the Proposed Regional Growth Strategy Bylaw
Reject the proposed Regional Growth Strategy Bylaw based on growth management implications. The primary rationales for not accepting the proposed RGS Bylaw would be:

- There is insufficient direction for growth management with the Growth Area to provide a predictable land use pattern that could focus transportation and infrastructure investment and create less carbon intensive development; and
- The proposed criteria for water servicing extensions are insufficient to prevent significant additional development in outlying rural areas that would contribute to transportation issues, increase greenhouse gas emissions and divert development away from land inside the Growth Area boundary.

Option 2 - Accept the Proposed Regional Growth Strategy Bylaw
Accept the proposed Regional Growth Strategy Bylaw based on the assessment that the outlined growth management approach and water servicing criteria are sufficient to address future population increases, expansion and change in the region.

Subsequent monitoring of outcomes would be critical to ensure a less directive growth management approach is successful in meeting proposed Regional Growth Strategy targets.

Staff Recommendation
Staff recommend Option 1, for the reasons outlined in the following section of the report.

CONCLUSION

The CRD's Regional Growth Strategy at its best is both a vision and a social contract between local governments to adhere to a course of action in an effort to achieve common social, economic, and environmental objectives. The Regional Growth Strategy is a foundational document that hopefully will guide and ensure that the region makes substantive progress on fundamental issues such as sustainable growth management and climate change.

In comparison to the existing 2003 Regional Growth Strategy, it would appear that the proposed 2016 Regional Growth Strategy reduces the emphasis on a regional and focused approach to sustainable growth management. This is reflected in both changes to land use designations and the revised water servicing policy.

Assuming the intent of the Regional Growth Strategy is to aide and support sustainable growth management, Staff believe the document could be strengthened, and ultimately supported, through the following actions:

- The inclusion of a strong regional growth management hierarchy, which indicates the location of Centres where growth should be focused and investments in infrastructure and transportation facilities should be prioritized;
- The application of stronger criteria to limit future water extensions outside the Growth Area boundary to prevent significant additional development in outlying Rural areas that would contribute to transportation issues, increase greenhouse gas emissions and divert development away from land inside the Growth Area boundary; and
- The development of a robust monitoring and adaptation program to assess progress towards Regional Growth Strategy targets and objectives. In particular, the targets to accommodate 95% of new dwelling units within the Growth Policy Area and to reduce greenhouse gas emissions by 61% below 2007 levels will need to be evaluated on a regular basis.

Given the concerns around growth management and water servicing policy, staff's recommendation is that the 2016 Regional Growth Strategy in its present form not be accepted.

RECOMMENDATION

That Bylaw 4107 Capital Regional District Regional Growth Strategy Bylaw No.1, 2016 not be accepted.

Report prepared by:

Silvia Exposito, Planner

Report prepared & reviewed by:

Cameron Scott, Manager of Community Planning

Report reviewed by:

Sharon Hvozdanski, Director of Planning

SE/CS/gv
G:\PLANNING\RGS-RSS\2016 Formal Referal RGS\Report\REPORT - Formal Referral of RGS 2016 Final.docx

cc: Paul Thorkelsson, CAO

ADMINISTRATOR'S COMMENTS:

I endorse the recommendation of the Director of Planning.

Paul Thorkelsson, CAO

TOWN OF SIDNEY

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CRD EXECUTIVE OFFICE
Received
JAN 26 2017

☑ Chair ☐ Board
☑ CAO ☐ Communications
☑ GM PPS
☑ For action / resp. by Regional Planning
☐ Corresp. for Board / Committee meeting
☐ For Information Only
☑ Copies to S. Bagh

0400-50 Sidney

January 25, 2017

VIA EMAIL: breems@crd.bc.ca

Brent Reems
Corporate Officer & Senior Manager
Capital Regional District
625 Fisgard Street, P.O. Box 1000
Victoria, BC V8W 2S6

Dear Mr. Reems:

Subject: CRD Regional Growth Strategy Bylaw – Referral for Municipal Acceptance

This is to advise that Town of Sidney Council, at a meeting on January 23, 2017, received the Board Chair's correspondence, dated December 2, 2016, regarding the Regional Growth Strategy Bylaw and passed the following resolution:

> *That staff be directed to respond to the Capital Regional District with a statement of acceptance for Regional Growth Strategy Bylaw No. 4017.*

I trust you will find this satisfactory.

Yours truly,

Sandi Nelson
Corporate Officer

District of Sooke
Incorporated December 7, 1999

2205 Otter Point Road, Sooke, British Columbia, Canada V9Z 1J2

Phone: 250-642-1634 • Fax: 250-642-0541 • Email:info@sooke.ca • Website: www.sooke.ca

CRD EXECUTIVE OFFICE
Received
JAN 30 2017

File No. 0400-90

January 25, 2017

☑ Chair ☐ Board
☑ CAO ☐ Communications
☑ GM PPS
☑ For action / resp. by Regional Planning
☐ Corresp. for Board / Committee meeting
☐ For Information Only
☑ Copies to S. Bagh
0400-50 Sooke

Barbara Desjardins
Chair, Capital Regional District Board
Capital Regional District
625 Fisgard Street, PO Box 1000
Victoria, BC V8W 2S6

VIA email (barbara.desjardins@esquimalt.ca)
ORIGINAL mailed

Dear Chair Desjardins:

RE: 2016 Regional Growth Strategy (RGS) Bylaw 4017 – Referral for Municipal Acceptance

This letter is in response to your correspondence dated December 2, 2016 regarding referral of the RGS bylaw to participating municipalities of the Capital Regional District.

Please be advised that at the District of Sooke Council at its January 23, 2017 Regular Council Meeting, by resolution, consented to accept the Regional Growth Strategy Bylaw No. 4017, the *Capital Regional District Regional Growth Strategy Bylaw No. 1, 2016,* in accordance with Section 436 of the *Local Government Act.*

We trust you will find the above to be in order. However, if you have any questions, please do not hesitate to contact me at 642-1622.

Sincerely,

Patti Rear
Deputy Corporate Officer

cc: Robert Lapham, CRD (via email – rlapham@crd.bc.ca)

Legislative and Regulatory Services Department

Legislative Services

#1 Centennial Square
Victoria
British Columbia
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Tel (250) 361-0571
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January 31, 2017

Ms. Signe Bagh
Senior Manager, Regional and Strategic Planning
625 Fisgard Street
Victoria, BC V8W 1R7

Dear Ms. Bagh:

Re: Regional Growth Strategy Formal Referrals

I am writing to advise you that Victoria City Council passed the following resolution at the January 26, 2017 Council meeting:

That Council advise the Capital Regional District (CRD) Board that the City of Victoria accepts CRD Bylaw No. 4017 to enact the 2016 Regional Growth Strategy for the Capital Region.

If you require further information concerning this matter, please contact Robert Batallas, Senior Planner, at 250.361.0286.

Yours truly,

Chris Coates
City Clerk
:pjm

cc: J. Tinney, Director, Sustainable Planning and Community Development

TOWN OF VIEW ROYAL

45 View Royal Avenue, Victoria, BC, Canada V9B 1A6
Ph. 250-479-6800 · Fx. 250-727-9551 · E. info@viewroyal.ca · www.viewroyal.ca

January 31, 2017

The following resolution was passed by View Royal Council at its regular meeting held January 17, 2017:

"THAT "Capital Regional District Regional Growth Strategy Bylaw No. 1, 2016" not be accepted;

AND THAT Council objects to Map 3: Regional Growth Management Concept Plan and policy statements relating to the definitions of the land use designations as they imply a hierarchy between the Regional Growth Strategy and Local Government planning, and due to errors on the map as it pertains to View Royal as illustrated in the staff report dated January 3, 2017;

AND FURTHER THAT Council objects to provisions 2.2.2 and 2.2.4 for the following reasons:

- that provision of water service will increase sprawl in rural areas and is contrary to the objectives of the overall Regional Growth Strategy which supports complete and compact communities;
- that additional development on rural and resource lands is at the expense of development on lands within the Urban Containment Boundary;
- that additional residential development on rural and resource lands will contribute to further transportation challenges in the region, and does not allow for efficient public transportation, increases greenhouse gas emissions, and does not provide for jobs/housing balance;
- that rural development will further contribute to GHG emissions by freeing a high-carbon built form."

I hereby certify the above to be a true copy of the resolution carried by Council of the Town of View Royal on January 17, 2017.

Dated at Victoria, British Columbia, this 31st day of January, 2017.

Elena Bolster
Deputy Corporate Officer

Recycled Paper

APPENDIX B: EXTRACTS FROM *LOCAL GOVERNMENT ACT* AND REGIONAL GROWTH STRATEGIES REGULATION (*BC REG 192/98*)

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This Act is Current to January 18, 2017

LOCAL GOVERNMENT ACT

Acceptance by affected local governments

436 (1) Before it is adopted, a regional growth strategy must be accepted by the affected local governments or, failing acceptance, become binding on the affected local governments under section 440 (6) *[settlement of regional growth strategy in acceptance not otherwise reached]*.

(2) Acceptance of a regional growth strategy by an affected local government must be done by resolution of the local government.

(3) For the purposes of this section, before third reading of the bylaw to adopt a regional growth strategy, the board must submit the regional growth strategy to the following:

(a) the council of each municipality all or part of which is covered by the regional growth strategy;

(b) the board of directors of the South Coast British Columbia Transportation Authority if the regional growth strategy is for the Greater Vancouver Regional District;

(c) the board of each regional district that is adjoining an area to which the regional growth strategy is to apply;

(d) the facilitator or, if no facilitator for the regional growth strategy has been designated, the minister.

(4) After receiving a proposed regional growth strategy under subsection (3), each affected local government must

(a) review the regional growth strategy in the context of any official community plans and regional growth strategies for its jurisdiction, both those that are current and those that are in preparation, and in the context of any other matters that affect its jurisdiction, and

(b) subject to an extension by the facilitator under section 438 (3), within 60 days of receipt either

(i) accept the regional growth strategy, or

(ii) respond, by resolution, to the proposing board indicating that the local government refuses to accept the regional growth strategy.

(5) An acceptance under subsection (4) (b) becomes effective

(a) when all affected local governments have accepted the regional growth strategy, or

(b) at the end of the period for acceptance or refusal under that subsection if, at the end of that period, all affected local governments have not accepted the regional growth strategy.

(6) If an affected local government fails to act under subsection (4) (b) within the period for acceptance or refusal, the local government is deemed to have accepted the regional growth strategy.

(7) In the resolution under subsection (4) (b) (ii), the affected local government must indicate

(a) each provision to which it objects,

(b) the reasons for its objection, and

(c) whether it is willing that a provision to which it objects be included in the regional growth strategy on the basis that the provision will not apply to its jurisdiction, as referred to in section 432 (2).

(8) An affected local government is deemed to have accepted any provision of the regional growth strategy to which it does not indicate an objection under subsection (7).

(9) All affected local governments are entitled to participate in any non-binding resolution processes used to resolve an objection or anticipated objection by an affected local government.

(10) If an area in a regional district is incorporated as a new municipality and the regional district has adopted a regional growth strategy for all or part of the area of the new municipality, the regional growth strategy is binding on that new municipality.

Resolution of anticipated objections

438 (1) Before the end of the 60 days referred to in section 436 (4) (b) *[time for acceptance or refusal]*, the facilitator may require the proposing board and the affected local governments to identify any issues on which they anticipate that acceptance may not be reached.

(2) If an issue is identified under subsection (1),

(a) the facilitator may require the proposing board and the affected local governments to send representatives to a meeting convened by the facilitator for the purpose of clarifying the issues involved and encouraging their resolution, and

(b) the proposing board and the affected local governments must provide information as requested by the facilitator and must otherwise cooperate with the facilitator in fulfilling his or her responsibilities.

(3) For the purposes of this section, the facilitator may extend the period for acceptance or refusal under section 436 (4) (b) before or after the end of that period.

Resolution of refusal to accept

439 (1) The proposing board must notify the minister in writing if an affected local government refuses to accept a proposed regional growth strategy.

(2) After being notified under subsection (1), the minister must

(a) require a non-binding resolution process to attempt to reach acceptance on the regional growth strategy, or

(b) if satisfied that resolution using a non-binding resolution process under paragraph (a) is unlikely, direct that the regional growth strategy is to be settled under section 440.

(3) If requiring a non-binding resolution process under subsection (2) (a), the minister

(a) must, at the time of requiring the non-binding resolution process, specify a time period within which the parties must begin the resolution process, and

(b) may, before or after the resolution process has begun, specify a time period within which the parties must conclude the resolution process.

(4) The choice of non-binding resolution process under subsection (2) (a) is to be determined by agreement between the proposing board and the affected local government or governments that refused to accept the regional growth strategy but, if the minister considers that these parties will not be able to reach agreement, the minister must direct which process is to be used.

(5) Any affected local government may participate in a non-binding resolution process under this section.

(6) Unless otherwise agreed by these parties, the fees of any neutral person participating in the non-binding resolution process and the administrative costs of the process, other than the costs incurred by the parties participating in the process, are to be shared proportionally between the proposing board and the affected local governments that participate in the process on the basis of the converted value of land and improvements in their jurisdictions.

(7) An affected local government is deemed to have accepted the provisions of the regional growth strategy that were not changed as a result of a resolution process under subsection (2) (a).

(8) The following apply if changes to a regional growth strategy are proposed as a result of a resolution process under subsection (2) (a):

(a) the regional growth strategy must be submitted again to the affected local governments for acceptance, subject to paragraph (b) of this subsection, in accordance with section 436;

(b) an affected local government may not indicate an objection to a provision it is deemed to have accepted under section 436 (8) *[no previous objection to provision]* or subsection (7) of this section.

(9) If acceptance is not reached within 60 days after a non-binding resolution process under this section is concluded, the regional growth strategy must be settled in accordance with section 440 unless the proposing board and the affected local governments can reach agreement on the provisions of the regional growth strategy before the settlement process is completed.

Settlement of regional growth strategy if acceptance not otherwise reached

440 (1) If acceptance by affected local governments cannot otherwise be reached under this Part, the regional growth strategy is to be settled by one of the following:

(a) peer panel settlement in accordance with section 441 (1);

(b) final proposal arbitration in accordance with section 441 (2);

(c) full arbitration in accordance with section 441 (3).

(2) If more than one affected local government has refused to accept a regional growth strategy, whether the refusals are in relation to the same or different issues, the regional growth strategy is to be settled for all affected local governments in the same settlement proceedings.

(3) The choice of process for settlement is to be determined by agreement between the proposing board and the affected local government or governments that refused to accept the regional growth strategy but, if the minister considers that these parties will not be able to reach agreement, the minister must direct which process is to be used.

(4) Any affected local government may participate in a settlement process under section 441.

(5) During the 60 days after the provisions of a regional growth strategy are settled under section 441, the proposing board and the affected local

governments may agree on the acceptance of a regional growth strategy that differs from the one settled.

(6) At the end of the period under subsection (5), unless agreement is reached as referred to in that subsection, the provisions of a regional growth strategy as settled under section 441 become binding on the proposing board and all affected local governments, whether or not they participated in the settlement process.

Options for settlement process

441 (1) As one option, the provisions of a regional growth strategy may be settled by a peer panel as follows:

(a) the panel is to be composed of 3 persons selected from the applicable list prepared under section 442 (1);

(b) the selection of the panel is to be done by agreement between the proposing board and the affected local government or governments that refused to accept the regional growth strategy or, if the minister considers that these parties will not be able to reach agreement, by the minister;

(c) subject to the regulations, the panel may conduct the proceedings in the manner it determines;

(d) the panel must settle the disputed issues of the regional growth strategy and may make any changes to the provisions of the regional growth strategy that it considers necessary to resolve those issues;

(e) the panel must give written reasons for its decision if this is requested by the proposing board or an affected local government before the panel retires to make its decision.

(2) As a second option, the provisions of a regional growth strategy may be settled by final proposal arbitration by a single arbitrator as follows:

(a) the arbitrator is to be selected from the applicable list prepared under section 442 (1);

(b) the selection of the arbitrator is to be done by agreement between the proposing board and the affected local government or governments that refused to accept the regional growth strategy or, if

the minister considers that these parties will not be able to reach agreement, by the minister;

(c) subject to the regulations, the arbitrator must conduct the proceedings on the basis of a review of written documents and written submissions only, and must determine each disputed issue by selecting one of the final written proposals for resolving that issue submitted by one of the participating parties;

(d) the provisions of the regional growth strategy will be as settled by the arbitrator after incorporation of the final proposals selected by the arbitrator under paragraph (c);

(e) no written reasons are to be provided by the arbitrator.

(3) As a third option, the provisions of a regional growth strategy may be settled by full arbitration by a single arbitrator as follows:

(a) the arbitrator is to be selected from the applicable list prepared under section 442 (1);

(b) the selection of the arbitrator is to be done by agreement between the proposing board and the affected local government or governments that refused to accept the regional growth strategy or, if the minister considers that these parties will not be able to reach agreement, by the minister;

(c) subject to the regulations, the arbitrator may conduct the proceedings in the manner he or she determines;

(d) the provisions of the regional growth strategy will be as settled by the arbitrator, who is not restricted in his or her decision to submissions made by the parties on the disputed issues;

(e) the arbitrator must give written reasons for the decision.

General provisions regarding settlement process

442 (1) Lists of persons who may act on a panel under section 441 (1), as an arbitrator under section 441 (2) or as an arbitrator under section 441 (3) are to be prepared by the minister in consultation with representatives of the Union of British Columbia Municipalities.

(2) Persons who may be included on a list for a panel under section 441 (1) are persons who are or have been elected officials of a local government or who, in the opinion of the minister, have appropriate experience in relation to local government matters.

(3) In the case of a specific regional growth strategy, a person may not be appointed to a panel or as an arbitrator if the person is, or was at any time since the regional growth strategy was initiated, an elected official of the proposing board or of an affected local government for the regional growth strategy.

(4) Subject to a direction by the panel or arbitrator or to an agreement between the parties, the fees and reasonable and necessary expenses of the members of a peer panel or arbitrator and the administrative costs of the process, other than the costs incurred by the parties participating in the process, are to be shared proportionally between the proposing board and the affected local governments that participate in the process on the basis of the converted value of land and improvements in their jurisdictions.

(5) The directors of the electoral areas to which the regional growth strategy is proposed to apply and the Provincial government may make representations in the settlement process, subject to any conditions set by the panel or arbitrator.

(6) The time limit for bringing any judicial review of a decision of a panel or arbitrator under section 441 is the end of the period for agreement under section 440 (5) *[60 days after provisions settled by panel or arbitrator]*.

(7) The minister may make regulations regarding settlement processes under section 441, which may be different for different settlement processes, including regulations

> (a) respecting matters that a panel or arbitrator may or must consider,
>
> (b) respecting the authority of a panel or arbitrator to settle a regional growth strategy, and
>
> (c) respecting the authority of a panel or arbitrator to require the cooperation of local governments in relation to the settlement processes.

Adoption of regional growth strategy

443 (1) A regional growth strategy must be adopted by bylaw.

(2) As soon as practicable after adopting a regional growth strategy, the board must send a copy of the regional growth strategy to

(a) the affected local governments,

(b) any greater boards and improvement districts within the regional district, and

(c) the minister.

Requirement to adopt finalized regional growth strategy

444 (1) If a proposed regional growth strategy has been accepted by the affected local governments or has become binding under section 440 (6), but has not been adopted by the proposing board, on the recommendation of the minister, the Lieutenant Governor in Council may, by order, specify a time period within which the board must adopt the regional growth strategy.

(2) If the board does not adopt the regional growth strategy within the time period specified under subsection (1), the Lieutenant Governor in Council may, by order, deem the regional growth strategy to have been adopted by the board, in which case it applies as if it had been adopted by a valid bylaw of the board.

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B.C. Reg. 192/98
M220/98

Deposited June 5, 1998

Local Government Act

REGIONAL GROWTH STRATEGIES REGULATION

Definitions

1 In this regulation:

"Act" means the *Local Government Act*;

"eligible party" means

(a) the proposing board of a regional growth strategy that has not been accepted,

(b) any local government affected by a regional growth strategy that has not been accepted, and

(c) any other party which is entitled by agreement of the participating parties to participate in a settlement process for a regional growth strategy that has not been accepted;

"facilitator" means a facilitator as defined in section 848 of the Act;

"neutral" means a person appointed as a member of a peer panel under section 861 (1) of the Act or as a single arbitrator under section 861 (2) or (3) of the Act;

"participating party" means an eligible party that has given notice under section 9, 17 or 22 in respect of a particular regional growth strategy.

Application

2 (1) This regulation applies to all settlement processes conducted under section 861 of the Act.

(2) The *Commercial Arbitration Act* does not apply to a settlement process conducted under section 861 of the Act.

Part 1 — General

Selection of option

3 (1) The proposing board and the local governments that refused to accept a regional growth strategy must agree on the settlement process option they wish to employ under section 861 of the Act no later than

(a) 84 days after a non-binding resolution process under section 859 of the Act is concluded without acceptance of the regional growth strategy, or

(b) 28 days after the minister gives a direction under section 859 (2) (b) of the Act that the regional growth strategy is to be settled under section 860 of the Act.

(2) Within the applicable time period specified in subsection (1), the board and local governments must, in writing, advise

(a) the facilitator, or if no facilitator has been appointed, the minister, and

(b) all other eligible parties,

of the agreement reached under that subsection.

(3) On request, the minister may extend the applicable time periods in subsection (1) if the minister believes that an extension may facilitate agreement.

Statement of independence and impartiality

4 (1) Before a person may be selected as a neutral, a signed statement that he or she knows of no circumstances likely to give rise to justifiable doubts as to his or her independence or impartiality in the regional growth strategy under consideration must be provided by the person to

(a) the board,

(b) the local governments that are eligible to select that person under section 861 of the Act, and

(c) the facilitator, or if no facilitator has been appointed, the minister.

(2) If circumstances likely to give rise to justifiable doubts as to his or her independence or impartiality in the regional growth strategy under consideration arise after the selection, a neutral must immediately disclose these circumstances to

(a) the participating parties, and

(b) the facilitator or, if no facilitator has been appointed, the minister.

Appointment of neutrals

5 (1) No later than 28 days after the settlement process option has been determined, the proposing board and the local governments that refused to accept the regional growth strategy must select, as applicable, from the lists under section 862 (1) of the Act,

(a) the 3 neutrals to act as members of the peer panel, or

(b) the neutral to act as arbitrator.

(2) Within the applicable time period specified in subsection (1), the board and local governments must, in writing, advise the facilitator or, if no facilitator has been appointed, the minister, of the selection made under that subsection.

(3) Once selected, the peer panel or the neutral who will act as an arbitrator must immediately notify all eligible parties of their selection.

(4) On request, the minister may extend the time period in subsection (1) if an extension would facilitate agreement.

(5) On application of a participating party before conclusion of a settlement process, the court may revoke the appointment of a neutral if the court is satisfied that the neutral has, in the discharge of the neutral's obligations under this regulation,

(a) breached section 4, 6, 23 or 31 (1),

(b) behaved in a corrupt or fraudulent manner,

(c) shown bias,

(d) exceeded his or her powers, or

(e) failed to observe the rules of natural justice.

(6) A neutral who resigns, is unable or refuses to act or whose appointment is revoked under subsection (5) must be replaced under this regulation by another neutral.

Obligations of neutrals

6 (1) A neutral must be and remain at all times wholly independent and impartial and must not act as an advocate in the settlement process for any eligible party.

(2) Except to the extent expressly permitted under this regulation, a neutral must not have any written or oral communications with any eligible party respecting the substantive issues in a settlement process without full communication of this information to all participating parties.

Obligations of eligible parties

7 Except to the extent expressly permitted under this regulation, an eligible party must not have any written or oral communications respecting the substantive issues in a settlement process without full communication of this information to all eligible parties.

Part 2 — Peer Panel

Intent

8 (1) Part 2 applies to all peer panel settlement processes selected by the parties or directed by the minister under section 860 (3) of the Act.

(2) In this Part, **"settlement process"** means a peer panel settlement process.

Participating parties

9 (1) An eligible party must, in writing, advise the chair of the peer panel, the proposing board and all affected local governments within 14 days of the date of the selection of the last member of the peer panel

(a) that the eligible party intends to be a participating party in the settlement process,

(b) of the name, address and telephone number of the individual who represents that party, and

(c) of the name, address and telephone number of that individual's alternate.

(2) On request, the peer panel may extend the time for an eligible party to give notice under subsection (1) if that party's participation would assist in the settlement of the regional growth strategy and may be accommodated within the time limits imposed under this Part for making a decision.

Peer panel

10 (1) The members of the peer panel must appoint one of the members to act as chair of the panel.

(2) All final decisions to resolve the disputed issues respecting the regional growth strategy must be made by a majority decision of the panel.

(3) The chair of the peer panel may make rulings not described by subsection (2) respecting the settlement process.

Meetings

11 (1) Subject to any directions of the peer panel, the meetings of the settlement process, excluding any meetings held by and for the members of the peer panel only, are open to the public.

(2) Recordings must not be made of the meetings of the settlement process but handwritten notes may be kept.

(3) The facilitator may attend and observe any part of the settlement process excluding any meetings held by and for the members of the peer panel only.

Procedure

12 (1) The peer panel must convene a preliminary meeting, in person or by conference call, with the participating parties within 21 days of the selection of the last panel member to

(a) identify the disputed issues in the regional growth strategy,

(b) investigate opportunities for reaching agreement,

(c) discuss the role to be played by the peer panel, the procedure to be followed and whether written reasons will be requested, and

(d) set any time periods within which certain actions must be taken.

(2) After consultation with the participating parties, the peer panel must give the parties written directions on the manner of conduct of the proceedings as soon as possible after the preliminary meeting.

(3) If the peer panel decides to hold oral hearings, the hearings must be held on consecutive business days and, if the participating parties agree, on consecutive days other than business days.

(4) If the settlement process includes the presentation of information by experts or other persons to the peer panel, the peer panel may limit the number of persons who may be called to give presentations and may set time limits for the presentations.

(5) After consultation with the participating parties, the peer panel may request the attendance of, and a presentation by, any person who may be of assistance to the panel in making its decision.

(6) The peer panel is not required to apply the legal rules of evidence and must determine the relevance and materiality of the presentations.

Facilitating role

13 (1) Unless the participating parties agree otherwise, if the peer panel is endeavouring to facilitate settlement discussions, the members of the peer panel, separately or together, may hold private meetings with any or all of the

participating parties and information provided by the participating parties during those meetings should not be considered confidential.

(2) During its efforts to facilitate settlement discussions, the members of the peer panel may make suggestions to the participating parties for resolution of the disputed issues, but these suggestions are not to be construed as a decision of the peer panel and are for the purpose only of facilitating settlement by agreement of the parties.

(3) If the peer panel's efforts to facilitate an agreement on the disputed issues are unsuccessful within 35 days after the date of the selection of the last panel member, the peer panel must cease such activities and conduct the settlement process in such a manner as to enable it to make a decision on the disputed issues as required by the Act and this regulation.

Notice to retire

14 (1) In order to provide an opportunity to make a request for written reasons as permitted under section 861 of the Act, the peer panel must give the participating parties advance notice of its intent to retire to make its decision.

(2) Any submissions by the participating parties on the allocation of fees, costs and expenses of the settlement process must be received by the peer panel before it retires to make its decision.

Decision

15 (1) Unless the participating parties agree on a regional growth strategy during the settlement process or the minister extends the time period, the peer panel must settle the disputed issues of the regional growth strategy, including giving any written reasons requested under section 861 of the Act, within 70 days from the date the last peer panel member was selected.

(2) The peer panel must give its decision settling the disputed issues in the regional growth strategy in writing and provide copies of it to all the participating parties and the facilitator or, if no facilitator was appointed by the minister, to the minister.

Part 3 — Final Proposal Arbitration

Intent

16 (1) Part 3 applies to all final proposal settlement processes selected by the parties or directed by the minister under section 860 (3) of the Act.

(2) In this Part, **"settlement process"** means the final proposal arbitration process.

Participating parties

17 (1) An eligible party must, in writing, advise the arbitrator, the proposing board and all affected local governments within 14 days of the date of the selection of the arbitrator

(a) that the eligible party intends to be a participating party in the settlement process,

(b) of the name, address and telephone number of the individual who represents that party, and

(c) of the name, address and telephone number of that individual's alternate.

(2) On request, the arbitrator may extend the time for an eligible party to give notice if that party's participation would assist in the settlement of the regional growth strategy and may be accommodated within the time limits imposed under this Part for making a decision.

No meetings

18 The arbitrator must not meet with or discuss any aspect of the disputed issues with the participating parties or any other person and the arbitrator is restricted solely to consideration of the written submissions and proposals filed by the participating parties.

Identification of disputed issues

19 (1) Within 28 days of the date of selection of the arbitrator, all participating parties must submit to the arbitrator a jointly prepared and agreed to statement which

clearly and succinctly identifies the disputed issues in the regional growth strategy.

(2) Within 42 days of selection of the arbitrator, each of the participating parties must make a submission to the arbitrator and to the other participating parties which

(a) addresses all or any of the disputed issues identified in subsection (1) and no other issues,

(b) explains the position the participating party takes on each disputed issue it intends to address,

(c) includes any documents on which it relies,

(d) makes only one specific proposal to finally resolve a disputed issue, which proposal must be presented as specific wording to be included in the regional growth strategy, and

(e) addresses the issue of allocation of fees, costs and expenses of the settlement process, if any submission on this issue is intended.

(3) The participating parties may not revise or amend their submission after it has been presented to the arbitrator nor may they rebut or refute any information contained in any other participating party's submission.

(4) Nothing in subsection (3) must be construed to limit, in any way, any settlement discussions which the participating parties may wish to carry on during the time period in which the arbitrator is considering his or her decision.

Decisions

20 (1) Unless the participating parties agree on a regional growth strategy during the settlement process or the minister extends the time period, the arbitrator must settle the disputed issues of the regional growth strategy within 63 days of the date of his or her selection.

(2) The arbitrator must select, in respect of each disputed issue, one of the final proposals submitted under section 19 and

(a) the selection of a final proposal on a disputed issue submitted by one participating party does not preclude the selection of a final proposal on another disputed issue submitted by another participating party, and

(b) the arbitrator may not alter the terms of a final proposal in selecting the final proposal.

(3) The arbitrator must give the selections under subsection (2) in writing and provide signed and dated copies of them to all participating parties and the facilitator or, if no facilitator was appointed by the minister, to the minister.

Part 4 — Full Arbitration Settlement Process

Intent

21 (1) Part 4 applies to all full arbitration settlement processes selected by the parties or directed by the minister under section 860 (3) of the Act.

(2) In this Part, **"settlement process"** means the full arbitration settlement process.

Participating parties

22 (1) An eligible party must, in writing, advise the arbitrator, the proposing board and all affected local governments within 14 days of the date of the selection of the arbitrator

(a) that the eligible party intends to be a participating party in the settlement process,

(b) of the name, address and telephone number of the individual who represents that party, and

(c) of the name, address and telephone number of that individual's alternate.

(2) On request, the arbitrator may extend the time for an eligible party to give notice if that party's participation would assist in the settlement of the regional growth strategy and may be accommodated within the time limits imposed under this Part for making a decision.

Communications

23 (1) A copy of all written communications between the arbitrator and a participating party must be given to the other participating parties at the same time.

(2) There must not be any oral communications between a participating party and the arbitrator with respect to the disputed issues unless it is made in the presence of all participating parties or their legal counsel.

(3) Copies of all documents exchanged between the participating parties as required under this Part must be given to the arbitrator.

Objections to process

24 (1) A participating party must state any objections to any aspect of the settlement process or to the conduct of the other participating parties or the arbitrator at the earliest possible time.

(2) The arbitrator may refuse to consider an objection if a party fails to comply with subsection (1).

Commencement of settlement process

25 For purposes of the calculation of time under this Part, the settlement process is considered to commence on the date the arbitrator is selected.

Change of arbitrator

26 An arbitrator replaced under this regulation by another arbitrator must rehear any matter to be decided respecting the disputed issues that has not been decided by the former arbitrator respecting those issues.

Powers of the arbitrator

27 (1) Subject to any limitations in this Part or any agreement reached by the participating parties, the arbitrator may conduct the settlement process in any manner the arbitrator considers appropriate, but each party must be treated fairly and must be given full opportunity to present its case.

(2) The arbitrator may rule on his or her jurisdiction.

(3) The arbitrator may

(a) adjourn the proceedings from time to time to facilitate settlement discussions between the parties or for any other reasonable purpose,

(b) order inspection of documents, exhibits or other property at any location,

(c) order the recording of any oral hearing or meeting,

(d) limit the number of witnesses in any oral hearing and the manner and method of cross-examination of them, and

(e) if the arbitrator considers it just and appropriate in the circumstances, extend or shorten a period of time

(i) required in this Part, except the period of time specified under section 35 (1), or

(ii) fixed or determined by the arbitrator.

Preliminary meeting

28 (1) The arbitrator must convene a preliminary meeting, in person or by conference call, with the participating parties within 21 days of his or her selection to

(a) identify the disputed issues in the regional growth strategy,

(b) discuss the procedure to be followed, and

(c) set any time periods within which certain actions must be taken.

(2) Subject to any agreements reached by the parties and any mandatory provision of this regulation, the arbitrator must give the parties written directions on the manner of conduct of the proceedings as soon as possible after the preliminary meeting.

(3) If the arbitrator decides to hold oral hearings, the hearings must be held on consecutive business days and, if the participating parties agree, on consecutive days other than business days.

Exchange of statements

29 (1) The participating parties must exchange written statements of their respective positions on the disputed issues in the following manner:

(a) a participating party that refused to accept the regional growth strategy (known as the claiming party) must give a submission outlining the matters in dispute, a discussion of its perspective on the issue and the solution requested, not later than 28 days after the preliminary meeting is held under section 28;

(b) a participating party, other than those referred to in paragraph (a) (known as the responding party) must give a submission outlining its responses to the claiming party's submission, not later than 14 days after receiving the claiming party's submission.

(2) A participating party must attach to its submission under subsection (1) a list of documents

(a) on which the party intends to rely, and

(b) which describes each document by kind, date, author, addressee and subject matter.

(3) At any time, the arbitrator may allow a participating party to amend or add to any submission made under this section, including the list of documents, unless

(a) the amendment or addition goes beyond the terms of the settlement process, or

(b) another participating party would be prejudiced by the delay in making the amendment or addition.

Disclosure

30 (1) The arbitrator may order a participating party to produce, within a specified time, any documents which

(a) have not been listed under section 29,

(b) a participating party has in its care, custody or control, and

(c) the arbitrator considers to be relevant.

(2) A participating party must allow any other participating party the necessary access at reasonable times to inspect and take copies of all documents that the former party has listed in section 29.

(3) Not later than 21 days before any oral hearing commences, each participating party must give the other participating parties and the arbitrator

(a) the name and address of any witness it intends to call and a written summary of the witness's evidence, and

(b) in the case of an expert witness, a written statement or report prepared by the expert witness.

(4) Not later than 14 days before any oral hearing commences, each participating party must give to the other participating parties and the arbitrator an assembly of all documents to be introduced at the hearing.

Hearings and meetings

31 (1) The arbitrator must give the participating parties reasonable written notice of any oral hearings and meetings.

(2) Subject to any directions of the arbitrator, the hearings and meetings of the arbitration are open to the public.

(3) The arbitrator may direct that a record be kept of the settlement process.

(4) The facilitator may attend and observe any part of the settlement process.

Evidence

32 (1) All oral evidence must be taken in the presence of the arbitrator and all the parties unless a participating party is absent by default or has waived the right to be present.

(2) If the arbitrator considers it just and reasonable to do so, the arbitrator may permit a document to be introduced at the oral hearing which was not previously listed under section 29, but the arbitrator may take that failure

into account when fixing the costs to be awarded in the settlement process.

(3) If the arbitrator permits the evidence of a witness to be presented as a written statement, the other participating parties may require that witness to be made available for cross examination at the oral hearing.

Default of parties

33 (1) If a responding party fails to provide the statement required in section 29 (1) (b), the arbitrator must

(a) continue the settlement process, and

(b) require the claiming party to present such evidence to support its submission as the arbitrator may require before making a decision.

(2) The arbitrator may continue the settlement process and make a decision based on the evidence presented if a participating party fails to

(a) appear at a scheduled oral hearing, or

(b) produce any evidence.

Close of hearings

34 (1) The arbitrator must close any oral hearings if

(a) the participating parties advise they have no further evidence to give or submissions to make, or

(b) the arbitrator considers further hearings to be unnecessary or inappropriate.

(2) Subject to any time requirements under this Part, if the arbitrator considers it to be just and appropriate to do so, the arbitrator may reopen the oral hearings at any time before making a decision.

Decision

35 (1) Unless the participating parties agree on a regional growth strategy during the settlement process or the minister extends the time, the arbitrator must make a decision as soon as possible and, in any event, not later than 28 days after

(a) any oral hearings have been closed, or

(b) if no oral hearings have been held, the last written submission has been made.

(2) The decision of the arbitrator must be in writing, contain the specific wording of the provisions of the regional growth strategy, state the reasons on which it is based and be signed and dated.

(3) The arbitrator must give a copy of the decision to each participating party and the facilitator or, if no facilitator was appointed by the minister, to the minister.

Amendments and corrections to the award

36 (1) The arbitrator may amend or vary a decision settling the provisions of the regional growth strategy to correct

(a) a clerical or typographical error, or

(b) an accidental error, slip, omission or other similar mistake.

(2) An application by a participating party to the arbitrator to amend or vary a decision under subsection (1) must be made within 7 days after that party receives the decision.

(3) Not later than 7 days after receiving the decision, a participating party may apply to the arbitrator for clarification of the provisions of the settled regional growth strategy, and the arbitrator may amend that part of his or her decision if the arbitrator considers that the amendment will clarify it.

(4) For the purposes of subsection (2) or (3), the arbitrator must not amend or vary the decision, without the consent of all participating parties, more than 14 days after all parties have received it.

(5) Subsection (3) does not apply to the reasons given by the arbitrator in making his or her decision on the provisions of the regional growth strategy.

City of Langford
www.cityoflangford.ca

Staff Report to Council

Date: **20/03/2017**

Department: **Finance**

Subject: Greater Victoria Public Library 2017 Final Budget

Commentary

On tonight's agenda is the Greater Victoria Public Library (GVPL) 2017 Final Operating Budget with a cover letter from the GVPL Board Chair. This budget has been sent to all GVPL member municipalities for Council approval. To be adopted, the budget requires approval of municipalities which together contributed a majority of library funding in the previous year.

The Budget provides for an overall tax increase of 2.94% in 2017, which is consistent with the five year plan approved in 2016 (and slightly less than in 2016 – 3.21%). Langford's increase is 10.71% with the variance from the average being the result of Langford's high growth rate in both population and assessment.

Financial Implications

A 10.71% increase in the Langford contribution results in an increase of $7.56 on the average Langford home.

Legal Implications

Consideration for approval is required under the terms of the Library Operating Agreement.

Options

That Council:

1. Approve the Greater Victoria Public Library 2017 Operating Budget, **or**
2. Not approve the Greater Victoria Public Library 2017 Operating Budget.

Respectfully submitted,

Submitted by:	Steve Ternent, Director of Finance
Concurrence:	Jim Bowden, Chief Administrative Officer
Concurrence:	Darren Kiedyk, Deputy Chief Administrative Officer

GREATER VICTORIA
PUBLIC LIBRARY

CITY OF LANGFORD
☐ RECEIVE & FILE ☐ COUNCIL AGENDA
FEB 24 2017
☐ _____ COMMITTEE
☐ DISTRIBUTE TO COUNCIL

February 17, 2017

His Worship Mayor Stewart Young and Council
City of Langford
877 Goldstream Avenue, 2nd Floor
Langford, BC V9B 2X8

Dear Mayor Young and Council:

Re: 2017 Budget and Five Year Financial Plan – FINAL

The Greater Victoria Public Library respectfully submits its Final 2017 Operating Budget and Five Year Financial Plan for 2017-2021 for approval by Council resolution by May 1, 2017.

The Library's 2017 Final Total Budget increase is 1.6%. The municipal contribution increase is 2.94%, after factoring in budgeted reserve transfers and revenue changes.

The City of Langford's share of the 2017 requisition, based on converted assessment values and population, and including rental adjustment is $1,825,747. Building maintenance costs budgeted to be paid on your behalf are an additional $57,901.

Budget drivers include salaries and benefits, building occupancy costs and other factors which are described in the 2017 budget notes. Thanks to further savings identified by staff, these cost impacts have been offset so that our Provisional Budget target has been maintained.

Public libraries are busier than ever and GVPL continues to hold the highest per capita circulation rate of urban library systems in Canada. Through our programs, services and resources, GVPL enriches people's lives and supports the community as lifelong learners. We support our community at eleven library branches and online at gvpl.ca, serving 321,016 residents in our 10 member local governments.

Through more than 100 active community partnerships, we have made significant contributions to the well-being of Greater Victoria. In 2016 we introduced our 2016-2020 Strategic Plan which outlines the Library Board's priorities for sustainable library service that is responsive to the changing needs of our communities.

Now more than ever, public libraries have the ability to transform communities. By supporting the open exchange of knowledge, communities ensure equality, openness, inclusion and respect amongst their citizens.

Thank you for your vision and ongoing support for the role public libraries play in building strong and vibrant communities.

Sincerely,

Rob Martin
Chair, Greater Victoria Public Library Board

Enclosures

Copies: Jim Bowden, CAO, City of Langford
Steve Ternent, Director of Finance, City of Langford
Maureen Sawa, CEO, Greater Victoria Public Library
Donna Phillips, Director of Finance, Greater Victoria Public Library

CITY OF LANGFORD
☐ RECEIVE & FILE ☐ COUNCIL AGENDA
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☐ _____ COMMITTEE
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GREATER VICTORIA
PUBLIC LIBRARY

2017 Final Budget and

2017-2021 Five Year Financial Plan

Approval Dates:

Finance Committee – January 24, 2017

Library Board – February 14, 2017

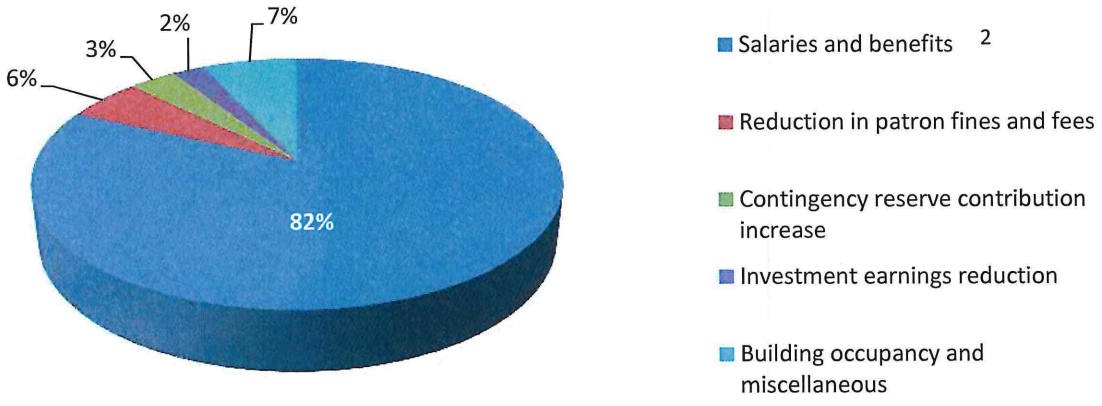
Municipal Councils – May 1, 2017

GREATER VICTORIA PUBLIC LIBRARY

BUDGET AT A GLANCE

		2017		2016
Operating Budget	$	**17,977,269**	$	17,648,271
Deduct: Unfunded Amortization	$	**(1,764,700)**	$	(1,750,000)
Funded Operating Budget	$	**16,212,569**	$	15,898,271
Operating Budget Increase		**2.0%**		3.3%
Capital Budget	$	**2,350,777**	$	2,367,865
Capital Budget Increase (Decrease)		**-0.7%**		30.9% 1
Total Budget - Funded	$	**18,563,346**	$	18,266,136
Total Budget Increase		**1.6%**		6.2%
Municipal contribution - total	$	**16,538,399**	$	16,065,447
Municipal contribution - increase	$	**472,952**	$	500,181
Municipal contribution - increase (%)		**2.94%**		3.21%
Cost per capita	$	**51.52**	$	51.39
Cost per capita increase	$	**1.47**	$	1.36

Municipal Contribution Increase $472,952, 2.94%



1 – 2016 increase includes one-time capital budget for Langford Heritage Branch start-up to furnish and equip new branch, funded by City of Langford.

2 – Includes an estimated rate of negotiated wage and benefit increases, which are jointly negotiated through GVLRA.

GREATER VICTORIA PUBLIC LIBRARY

2017 Budget and Five-Year Financial Plan (Final)

	2016	2017 Provisional	2017 Final	Change	Change%	Notes	2018	2019	2020	2021
Revenues										
Municipal contributions - operating	$16,065,447	$16,538,399	$16,538,399	$ 472,952	2.9%	1	$16,964,339	$ 17,202,188	$17,457,043	$17,687,375
Municipal contributions - start-up	747,858	772,635	698,000	(49,858)	-6.7%	2	460,600	-	-	-
Provincial grants	641,527	642,339	642,339	812	0.1%		642,339	642,339	642,339	642,339
Federal grants	5,534	5,534	5,534	-	0.0%		5,534	5,534	5,534	5,534
Fines, fees and printing	529,800	503,800	503,800	(26,000)	-4.9%	3	484,080	466,036	449,097	433,201
Contracts for service	27,560	28,111	28,111	551	2.0%		28,673	29,246	29,831	30,428
Investment income	85,000	74,000	74,000	(11,000)	-12.9%	4	74,000	74,000	74,000	74,000
Donations and other grants	80,228	48,232	72,943	(7,285)	-9.1%	5	49,300	42,000	42,000	42,000
	18,182,954	18,613,050	18,563,126	380,172	2.1%		18,708,865	18,461,343	18,699,844	18,914,877
Expenses										
Salaries and benefits	12,753,653	13,093,485	13,127,210	373,557	2.9%	6	13,458,851	13,665,172	13,871,051	14,080,255
Library materials	966,014	966,014	865,492	(100,522)	-10.4%	7	886,996	911,931	937,551	960,338
Amortization	1,750,000	1,758,200	1,764,700	14,700	0.8%	8	1,688,300	1,561,500	1,446,400	1,357,000
Supplies and services	966,215	1,037,751	1,074,382	108,167	11.2%	9	1,075,525	1,079,001	1,092,323	1,080,161
Building occupancy	855,433	783,950	783,144	(72,289)	-8.5%	9	767,838	761,846	773,074	784,365
Other expenses	356,956	349,922	362,341	5,385	1.5%	9	363,831	354,436	357,511	359,208
	17,648,271	17,989,322	17,977,269	328,998	1.9%		18,241,341	18,333,887	18,477,908	18,621,328
Annual Surplus/(Deficit)	534,683	623,728	585,857	51,174	9.6%		467,524	127,456	221,936	293,549
Add back: Unfunded Amortization	1,750,000	1,758,200	1,764,700	14,700	0.8%		1,688,300	1,561,500	1,446,400	1,357,000
	2,284,683	2,381,928	2,350,557	65,874	2.9%		2,155,824	1,688,956	1,668,336	1,650,549
Municipal contributions-operating increase	**3.2%**	**2.9%**	**2.9%**				**2.6%**	**1.4%**	**1.5%**	**1.3%**

GREATER VICTORIA PUBLIC LIBRARY

	2016	2017 Provisional	2017 Final	Change	Change%	Notes	2018	2019	2020	2021
Balance forward from Page 1	2,284,683	2,381,928	2,350,557	65,874	3%		2,155,824	1,688,956	1,668,336	1,650,549
Capital Expenses										
Library collection - operating	1,343,873	1,343,873	1,458,895	115,022	9%	7/10	1,434,891	1,409,956	1,384,336	1,361,549
Hardware - operating	106,145	96,295	96,000	(10,145)	-10%	10	93,000	93,000	93,000	93,000
Furniture and equipment - operating	60,000	60,000	60,000	-	0%		60,000	60,000	60,000	60,000
Building Improvement - operating	80,000	80,000	80,000	-	0%		85,000	90,000	95,000	100,000
Vehicles - operating	43,605	-	-	(43,605)	-100%	10	-	-	-	-
Branch Start-ups:										
Library collection-Langford Heritage Branch	350,000	-	-	(350,000)	-100%	7/2	-	-	-	-
Library collection - James Bay Branch	-	300,000	220,250	220,250	100%	7/2	74,250	-	-	-
Library collection - Esquimalt Branch	-	-	-	-	0%		10,000	-	-	-
Hardware Langford Heritage Branch	47,320	-	-	(47,320)	-100%	2	-	-	-	-
Hardware James Bay Branch	-	64,915	64,914	64,914	100%	2	-	-	-	-
Hardware Esquimalt Branch Relocation	-	-	-	-	0%		66,000	-	-	-
Furniture & equipment Langford Heritage Branch	318,012	-	-	(318,012)	-100%	2	-	-	-	-
Furniture & equipment James Bay Branch	-	382,865	360,928	360,928	100%	2	-	-	-	-
Furniture & equipment Esquimalt Branch Relocation	-	-	-	-	0%		284,500	-	-	-
Building Improvements Langford Heritage Branch	18,910	-	-	-	0%		-	-	-	-
Building Improvement James Bay Branch	-	-	9,790	9,790	100%		-	-	-	-
	2,367,865	2,327,948	2,350,777	(17,088)	-1%		2,107,641	1,652,956	1,632,336	1,614,549
Transfers										
Unrest. donations: Development Assistant	(18,175)	-	-	18,175	-100%		-	-	-	-
Unrest. donations: Marketing Research		(4,000)	(4,000)	(4,000)	100%		-	-	-	-
Unrest. donations: Capital planning	-	-	(32,500)	(32,500)	100%		-	-	-	-
Endowment: Lynda.com	-	-	(21,700)	(21,700)	100%		-	-	-	-
Contingency Reserve Fund	20,000	36,000	36,000	16,000	80%		36,000	36,000	36,000	36,000
Transfers to/(from) Reserve Funds	1,825	32,000	(22,200)	(24,025)	-1316%	11	36,000	36,000	36,000	36,000
Transfers to/(from) Accumulated Surplus	(109,475)	-	-	109,475	-100%	12				
Debt repayments	24,468	21,980	21,980	(2,488)	-10%	13	12,183	-	-	-
	(83,182)	53,980	(220)	82,962	-100%		48,183	36,000	36,000	36,000
Financial Plan Balance	-	-	-	-			-	-	-	-

GREATER VICTORIA PUBLIC LIBRARY

2017 MUNICIPAL CONTRIBUTIONS (FINAL)

	2016		2017							
	Share 2016	Total Requisition 2016	Share 2017	Operating Budget	Rent Adjustment [1]	Total Requisition 2017	Increase $	Increase %	Building Maint. Costs [2]	Total Municipal Budget 2017
Central Saanich	5.21%	$846,232	5.14%	$850,074	$9,098	**$859,172**	$12,940	1.53%	$0	$859,172
Colwood	4.71%	762,987	4.76%	$787,228	6,376	**793,604**	30,618	4.01%	26,787	820,391
Esquimalt	5.46%	873,093	5.44%	$899,689	(4,194)	**895,495**	22,400	2.57%	0	895,495
Highlands	0.68%	110,157	0.69%	$114,115	926	**115,041**	4,884	4.43%	3,876	118,917
Langford	10.18%	1,649,194	10.95%	$1,810,955	14,792	**1,825,747**	176,554	10.71%	57,901	1,883,648
Metchosin	1.57%	254,316	1.50%	$248,076	1,994	**250,070**	(4,246)	-1.67%	8,933	259,003
Oak Bay	6.44%	1,029,769	6.43%	$1,063,419	(4,977)	**1,058,442**	28,673	2.78%	0	1,058,442
Saanich	33.72%	5,395,089	33.32%	$5,510,594	(22,800)	**5,487,794**	92,706	1.72%	0	5,487,794
Victoria	28.98%	4,653,424	28.85%	$4,771,328	(2,355)	**4,768,973**	115,551	2.48%	67,250	4,836,223
View Royal	3.05%	491,186	2.92%	$482,921	1,140	**484,061**	(7,125)	-1.45%	4,836	488,897
Total	**100%**	**$16,065,447**	**100%**	**$16,538,399**	**$0**	**$16,538,399**	**$472,955**	**2.94%**	**$169,583**	**$16,707,982**

[1] The **Rent Adjustment** is calculated in accordance with Section 8.12 (a), (b) and (c) of the Library Operating Agreement and relates to portions of buildings used to benefit all member municipalities: the Collection and Technical Services section of the Juan de Fuca Branch building and the Administrative portion of the Central Branch building. Municipalities which did not contribute to the initial acquisition of such building or who did not subsequently purchase a portion of such building pays reasonable rent to those Municipalities that did.

[2] **Building Maintenance Costs for jointly owned buildings** are additional municipal budget amounts that are over-and-above the requisition for the library operating budget. The two branches that are jointly owned are the Central Branch and the Juan de Fuca Branch. Similar costs at other branches do not flow through GVPL and are paid by the municipalities directly. Other than the contributions to the Juan de Fuca Major Asset Maintenance Trust fund ("JF MAM"), building costs are estimates. Once actual costs are known, GVPL invoices the municipalities. Budgeted building costs for the branch portion of the jointly-owned buildings, excluding administrative area costs that are included in the libraray operating budget, are as follows:

	Central Branch	Juan de Fuca Branch	Total
Shared strata costs (repairs, maintenance, MAM projects, cleaning, security, recycling)	18,774	-	**18,774**
Direct property manager costs (repairs, maintenance, misc.)	23,292	22,389	**45,681**
Building insurance	17,539	10,404	**27,943**
Strata contingency reserve contribution	12,481	-	**12,481**
JF MAM trust fund contribution	-	64,704	**64,704**
	$ 72,086	$ 97,497	**169,583**

GREATER VICTORIA PUBLIC LIBRARY

2017 MUNICIPAL PER CAPITA CONTRIBUTIONS

	2017			
	Total Requisition 2017	**Population [1]**	**Cost Per Capita 2017**	**Increase per capita**
Central Saanich	$859,172	15,895	$54.05	$0.81
Colwood	793,604	17,583	45.13	$1.74
Esquimalt	895,495	16,830	53.21	$1.33
Highlands	115,041	2,394	48.05	$2.04
Langford	1,825,747	39,936	45.72	$4.42
Metchosin	250,070	4,792	52.18	-$0.89
Oak Bay	1,058,442	17,368	60.94	$1.65
Saanich	5,487,794	110,889	49.49	$0.84
Victoria	4,768,973	85,192	55.98	$1.36
View Royal	484,061	10,137	47.75	-$0.70
Total	**$16,538,399**	**321,016**	**$51.52**	**$1.47**

[1] Source of 2017 population figures - BC Stats website: <http://www.bcstats.gov.bc.ca/StatisticsBySubject/Demography/PopulationEstimates.aspx>, 2016 population estimates, accessed on January 12, 2017.

General note: Percentage share of costs by municipality are determined based on 50% property assessment value and 50% population estimate. More detailed information on assessment values and population are available on request.

Notes to 2017 Budget

1 – Municipal contributions - operating

Increase $472,952

As shown in the diagram on the Budget at a Glance page, 82% of the increase in municipal contributions is attributed to salaries and benefits, which are jointly negotiated through the GVLRA.

As in subsequent years, our fine and fee revenues overall are budgeted for a further decrease (contributes to 6% of the municipal contribution increase).

A proposed increase to the contribution to the contingency reserve contributes 3% of the municipal increase (Note 11). A budgeted decrease in investment revenues contributes 2% of the municipal contributions (Note 4).

The remaining 7% increase in municipal contributions is due to the loss of one-time funding from accumulated surplus for office space, regarding a lease which will terminate on May 31, 2017 (Note 9 and Note 12). Consequently, this increase is temporary to allow for the final months of the lease in 2017.

2 – Municipal contributions – start-up

Decrease $49,858

These costs relate to individual branch start-up costs to furnish, equip and include a collection inventory for new or relocated branches, which are funded by individual municipalities:

One-time contributions to GVPL	Source	2015	2016	2017 Change	2017	2018	Total
Langford Heritage Branch	Langford	$17,142	$747,858	($747,858)	-	-	$765,000
James Bay Branch	Victoria			$698,000	698,000	75,000	$773,000
Net budget decrease				**($49,858)**			

The majority of these contributions are for capital expenditures, with a small percentage of start-up funding going towards non-capital costs, such as moving and some supplies below the asset threshold.

3 - Fines, fees and printing revenue

Decrease $26,000

This revenue is estimated to continue to decline at a rate of 5%. 87% of this reduction is in fines, due to increasing use of e-formats, which do not incur fines. In addition, upon implementation of the new ILS in 2015, text notifications were added for patrons with overdue materials. This decrease includes offsetting increases in both meeting room rentals and printing as the demand for these services is expected to continue to increase. Fines and fees are currently under review and various alternatives for increases in this revenue line are being considered.

4 – Investment Income

Decrease $11,000

The revenue is conservatively estimated to decline by 12% based on recent historical earnings, and to reflect the low GIC interest rates and projected continuation of modest earnings in the Municipal Finance Authority bond fund.

5 – Donations and Other Grants

Decrease $7,285

2017 New funding for Canada 150 Project – Victoria Foundation and donations	$12,350
2017 New budget for Books for Babies program funding	20,000
2017 Change in process for purchase of eResources - Island Link	12,000
2016 one-time funding spent for OLiVE Outreach and Literacy vehicle (Victoria Foundation and donations, including Friends)	(46,969)
2016 to 2017 change in DigiLab project funding - United Way	(4,666)
	($7,285)

In addition to the Canada150 funding ($12,350), Books for Babies funding ($20,000), and Island Link funding ($12,000) mentioned above, the 2017 budget also includes $18,593 from United Way for the DigiLab project and $10,000 from the Friends for the Library for the Summer Reading Club. The Books for Babies funding is new in 2017, as this program was not previously included in the budget. Formalizing the budget will ensure that this popular program continues to be funded in future.

6 – Salaries and Benefits — Increase $373,557

The library's collective agreement expires December 31, 2016. Consequently, we have made a concerted effort to keep non-salary budgets fixed due to the uncertainty this creates. This budget includes an estimated rate of negotiated wage and benefits as well as increases to salaries for two positions involving four employees as a result of job evaluation.

Total full-time equivalent (FTE) count for regularized employees, not including part-time auxiliary employees, has increased from 146.10[1] to 147.56 (increase of 1.46 FTE). This includes the addition of a 0.57 FTE Shuttle Driver fully funded from auxiliary wages and a 0.60 FTE Library Assistant for phasing in of services as a result of adding the Langford Heritage Branch. The remaining increase of 0.29 FTE is a result of positional changes upon retirements. The total increase of 1.46 FTE is fully funded through a combination of part-time staff budget reductions and salary reductions as a result of positional changes.

Part-time wages have increased by the estimated wage increase only. This budget includes employee benefit costs and payroll withholding costs such as EI and CPP. Total benefits are estimated to increase by $172,000. $65,000 of this increase is due to the increased salary base from a wage increase. The balance of $107,000 is a result of increases in BC medical, extended health, and pension, and an increase in the auxiliary pay in lieu of benefits from 13% to 14% (effective in 2016). This brings the total estimated rate of benefits and withholding costs up from 23.5% to 24.5% of total salaries and wages.

7 – Library materials (expensed and capitalized) — Combined Increase $14,500

The library materials budget is split between Expenses, for periodicals and eResources, and Capital Expenses, for books, audio visual and electronic materials, which are capitalized as assets and amortized over 7 years. The net combined increase is:

Expensed – Library materials	($100,522)
Capitalized as asset – Library collection-operating	115,022
Total, not including branch startup collection assets	**$14,500**

$12,000 of the increase is due to a change in process for acquiring eResources. The new process requires GVPL to directly purchase some eResources and receive a grant from Island Link Library Federation (ILLF) to reimburse costs. Previously, these eResources were provided by ILLF. $2,500 of the increase is for non-capitalized costs (periodicals) included in the library materials expense line, but which are funded by Victoria as part of start-up costs for the James Bay branch.

8 – Amortization — Increase $14,700

This is the estimated amortization expense for tangible capital assets, in accordance with the Board's Tangible Capital Asset policy. Since this is an unfunded expense, it is added back to the budgeted annual surplus.

9 – Supplies and Services, Building Occupancy and Other — Combined Increase $41,263

Supplies and services	$108,167
Building occupancy	(72,289)
Other expenses	5,385
Total	**$41,263**

The net increase in Supplies and Services, Building Occupancy and Other is explained as follows:

Office space lease ended	($66,674)	On May 31,2017, the lease for office space ends – personnel located at 747 Fort Street will move into Central Branch – see further explanation below
Books for Babies program budget added	20,000	Funded by grant revenue; nil impact on municipal contributions

[1] 2016 Budget report total FTE's as 144.09. It excluded 2.01 regularized auxiliary employees in error.

One-time network connection	8,333	Final costs for office space lease ending May 31, 2017
Branch start-up cost increase	11,239	James Bay branch funded by City of Victoria; nil impact on municipal contributions
Software licensing increase	10,000	Offset by reduction in Hardware as a result of increased virtualization and changes in IT service model for efficiency and effectiveness of service delivery
Marketing research for fund development	4,000	Funded by donation reserves (Note 11); nil impact on municipal contributions; see explanation below
Lynda.com training platform (staff and users)	21,700	Funded from Endowment Fund (Note 11)
2017 project – Canada 150	12,350	Funded by Victoria Foundation and donations
James Bay branch start-up project – below asset-threshold expenses	14,763	Funded by City of Victoria
Balance	5,552	Explanation below
Total	**$41,263**	

The three year lease of office space at 747 Fort Street allowed for the relocation of 17 personnel in the HR, Finance and IT departments, as well as the library's IT servers, from the Central Branch. The lease met the goals of the Facilities Plan and mitigated risks related to the server room while housed at the Central Branch that resulted in a critical incident in 2013 involving the air cooling system. The move of personnel from the Central Branch to 747 Fort also increased the amount of branch space for public use. A more permanent and secure location has now been found for the library's IT servers at the University of Victoria. In order to reduce the budget, the office lease will not be renewed and the 17 personnel will be relocated back to the Central Branch, which is the most viable location on a short-term basis. There will be some changes to storage, staffing and service spaces at the branch to accommodate these staff. However, there will be no impact on public service operations.

The market research budget included is to be funded from donation reserves. These funds will be used to gather demographic information about the communities we serve. The research will help us to create targeted marketing materials – up to and including a direct mail campaign – to generate financial support from new donors. A secondary purpose will be to analyze the research and to identify areas of the community that would benefit from library outreach and awareness.

The balance of the increase in the amount of $5,552 is considered reasonable as it is the net result of adding necessary new costs and factoring in savings from various budgets, such as insurance, fuel and phone services. The new costs allow for automated materials handling and vending equipment maintenance costs to be increased as we add new branches, additional annualized costs for the Langford Heritage Branch (from 9 months in 2016 to a full year), utilities rate increases, a GVLRA fee increase, space lease at the University to provide a secure location for our IT servers, the administrative portion (28%) of short-term security services required through the strata at the Central Branch, and hosting fees for replacement of end-of-life equipment at branches to monitor the number of visitors.

10 – Capital Expenditures **Decrease $17,088**

Library collection-operating	$115,022	Primarily a shifting from non-capitalized library collection budget (periodicals and eResources) – Refer also to Note 7
Hardware	(10,145)	$7,000 budget moved to Supplies and Services category for subscriptions; $3,145 reduction in United Way funded DigiLab project
Vehicles	(43,605)	One-time purchase in 2016 of Outreach Literacy Vehicle (OLiVe) funded by grants and donations; nil impact on municipal contributions

All other budget variances relate to new branch start-up capital costs, as outlined in Note 2.

11 – Transfers to/(from) Reserve Funds **Change in Net Transfer From Reserves $24,025**

Unrestricted Donations - $18,175 removed for one-time funding for Development Assistant in 2015 and 2016. Unrestricted Donations - ($4,000) added for one-time market research in 2017 – refer to Note 9 for more information.

Unrestricted Donations – ($32,500) added for one-time funding for capital planning for unprecedented number of branch projects in planning and implementation stages 2017.

Endowment Fund – ($21,700) added for one-time cost to implement Lynda.com training platform for staff and library users in 2017.

Contingency Reserve - $16,000 increase - As a result of a one-time pension liability in the 2015 fiscal year, the contingency fund was depleted to a zero balance in 2016 in order to replenish a negative balance in the operating fund. Board policy requires that the contingency reserve target 1% of total operating budget within five years. This increased annual contribution to the contingency reserve from $20,000 to $36,000 will replenish the reserve within the time period mandated by the policy, with no further annual increases in subsequent years.

12 – Transfers to/(from) Accumulated Surplus **Change in transfers from surplus $109,475**

One-time transfers from accumulated surplus in 2016 are removed in 2017:

Personnel contingency funding	$29,475
Office space funding	80,000
	109,475

13 – Debt Repayments **Reduction $2,488**

Debt repayments budgeted in 2017 are as follows:

Microfilm and scanner – capital lease	$ 4,306	(final year 2017)
Shuttle vehicle loan – MFA	17,674	(loan maturity 2018)
	$21,980	

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Staff Report to Council

Date: **March 20, 2017**

Department: **Planning**

Application No.: **DVP17-0004**

Subject: **Application for Development Variance Permit to allow a Development with a Septic Holding Tank and a Water Holding Tank at 2023 Millstream Road**

PURPOSE

Dave Vitkauskas of Kenroc Building Materials Co. Ltd. has applied on behalf of Top Line Industries Ltd. for a Development Variance Permit (DVP) at 2023 Millstream Road to allow a development to be serviced by sanitary and water holding tanks rather than connecting to the municipal sanitary sewer system.

BACKGROUND

Table 1: Site Data

Applicant	Dave Vitkauskas, General Manager of Kenroc Building Materials Co. Ltd.
Owner	Top Line Industries Inc.
Civic Address	2023 Millstream Road
Legal Description	Lot 1, Section 4, Range 3 West, Highland District, Plan 18272
Size of Property	8.1 ha (20 ac)
DP Areas	Floodplain and Riparian (development site is outside of DP Areas)
Zoning Designation	General Industrial (M2)
OCP Designation	Business or Light Industrial

SITE AND SURROUNDING AREA

The subject site is located on Industrial Way in the Millstream Industrial Park, directly adjacent to the City of Langford / District of Highlands boundary. The 8.1 ha (20 ac) site currently also contains Superior Propane and Independent Concrete on the eastern portion of the site, and the western portion of the site adjacent to Millstream Road is currently vacant.

Surrounding properties in both the City of Langford contain a variety of industrial and business park uses. The Baker View Heights residential development is located approximately 100 m (330 feet) south of the

subject site, and the Bear Mountain residential development is located approximately 250 m (820 ft) southwest of the subject site.

Table 2: Surrounding Land Uses

	Zoning	***Use***
North	District of Highlands	Industrial uses
East	District of Highlands	Industrial uses
South	Business Park 4 – Millstream Road North (BP4)	Industrial uses
	Comprehensive Development 9 (Baker View Heights)	One-family dwellings
	Comprehensive Development 6 (Bear Mountain)	Undeveloped land and one-family dwellings
West	District of Highlands	Undeveloped land



COUNCIL POLICY

OFFICIAL COMMUNITY PLAN

The City of Langford's Official Community Plan (OCP) designates the subject site as a "Business and Light Industrial Centre". This designation has been applied primarily to existing business parks and light industrial areas, and is intended to:

- Support a range of business uses;

- Integrate parks and open spaces, where appropriate, to serve users and employees; and

- Integrate green corridors (such as creeks, wildlife corridors and trails), where appropriate, to connect development to other parts of the community.

The objective of the "Business and Light Industrial Centre" designation is to ensure a long term supply of employment lands, and related policies include:

3.16.1 Develop and maintain an inventory of commercial and industrial floorspace and remaining capacity to ensure that an adequate supply of employment lands is maintained.

3.16.2 Ensure long term availability of lands for light industrial, commercial and/or industrial uses.

3.16.3 Promote high intensity business and light industrial development with smaller setbacks, smaller lots, multi-storey light industrial facilities.

DEVELOPMENT PERMIT AREAS

A small portion of the southeast corner of the subject site is located in the 200 Year Floodplain and Riparian Development Permit Areas, but the development proposed under this application is not located within this portion of the site. As a result, an Environmental Development Permit will not be required for the proposed development.

The proposed development does require an Industrial Form and Character Development Permit, and the applicant is in the process of obtaining both Development and Building Permits, pending the issuance of the requested Development Variance Permit.

COMMENTS

DEVELOPMENT PROPOSAL

Kenroc Building Materials (Kenroc) intends to establish a building materials warehouse and sales office on a 1.0 ha (2.5 ac) leased portion of the subject site for a period of three years. The *Land Title Act* requires that leases of three years or more register a leasehold subdivision on Title, and this has triggered the requirement for sanitary servicing in Section 6.0 of the Subdivision and Development Servicing Bylaw No. 1000.

Although sanitary service is currently located in the Millstream Road right-of-way adjacent to the subject site, the landowner does not intend to connect the site to services at this time. As Kenroc is only leasing and utilizing the site for a period of three years, extending services to the proposed development is not financially feasible for the applicant. Instead, the applicant intends to service the site through the installation of a 1700 imperial gallon concrete water holding tank and a 1700 imperial gallon concrete septic holding tank. A variance has therefore been requested to Subsection 6.1.1.1 of Bylaw No. 1000, which states:

6.1.1.1 New subdivisions and development may only be created and occur when serviced by the municipal sanitary sewer system.

Although the applicant only intends to use the leased portion of the subject site for a period of three years, it is not possible for Council or staff to impose a time restriction on the requested variance. As a result, the proposed Kenroc buildings, or other buildings or uses, could be located on the site without connecting to the municipal sanitary sewer system following termination of Kenroc's lease, potentially in perpetuity.

If Council determines that the requested variance is reasonable, they may wish to require the registration of a covenant under Section 219 of the *Local Government Act* to require that any buildings, structures or uses that would generate septic flows be removed from the leased portion of the subject site as of October 31, 2019.

The City's Sewer Utility Bylaw No. 1600 requires that all properties in Langford connect to the municipal sanitary sewer system if a sewer main exists on the property frontage by the later date of:

a) The date that is the one-year anniversary of the Sewer Main Completion Date for the sanitary sewer main on which the parcel or common property has frontage; or

b) December 31, 2019.

OPTIONS

Option 1

That Council:

1. Direct staff to proceed with consideration of the following variances for 2023 Millstream Road:

    a) That Section 6.1.1.1 of the Subdivision and Development Servicing Bylaw No. 1000 be varied to allow the proposed development to be serviced by septic and water holding tanks instead of connecting to the existing municipal services;

Subject to the following terms and conditions:

i) That the site is developed in accordance with the site plan attached to this report as Appendix A; and

ii) That the applicant, **prior to issuance of the Development Variance Permit**, registers a covenant under Section 219 of the *Local Government Act* that agrees that no building, structures, or uses which generate sanitary sewage flows will be located on the leased portion of the subject site after October 31, 2019.

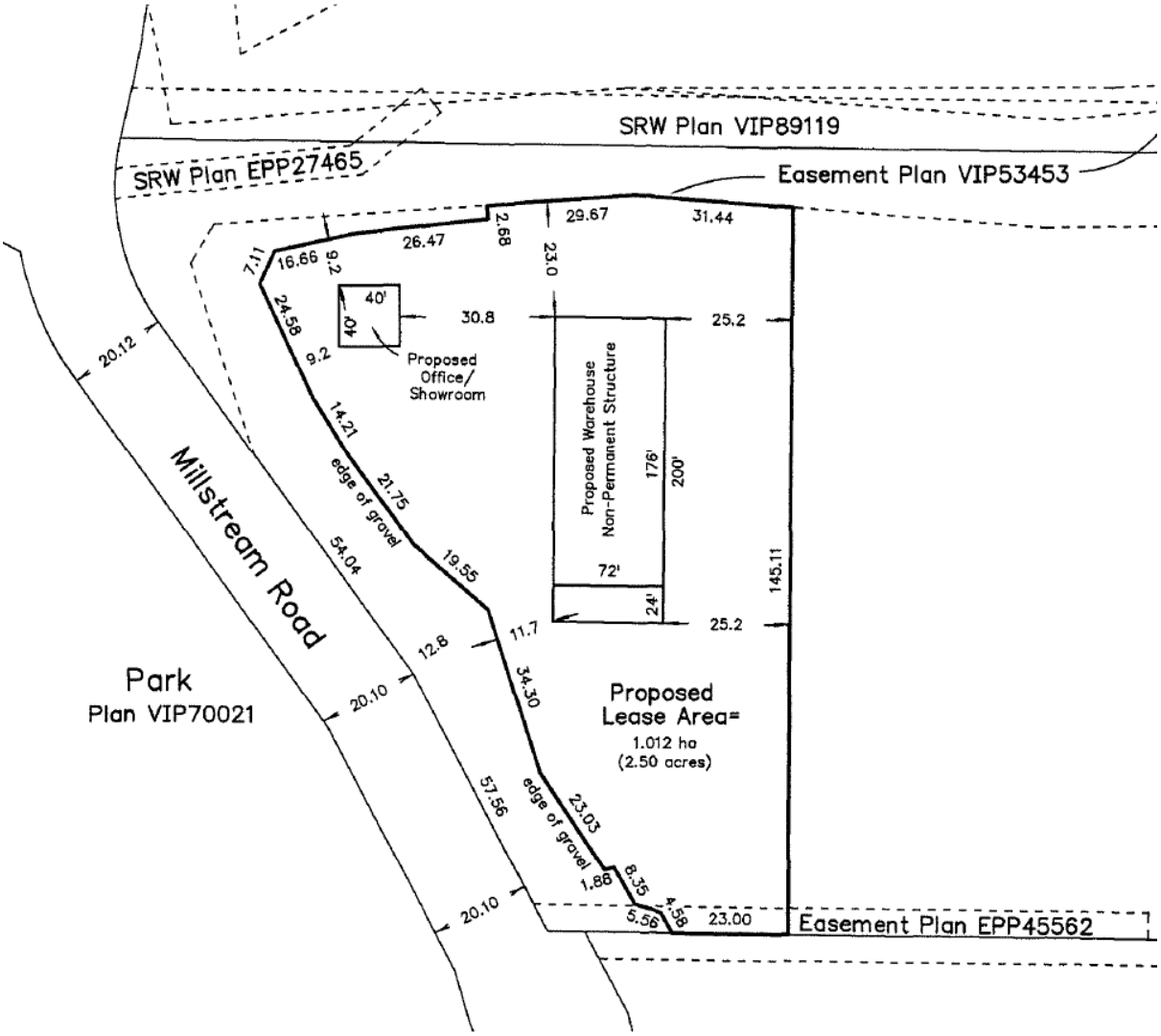
OR Option 2

2. Reject this application for Development Variance Permit.

Submitted by:	Sarah Herring, MCIP, RPP, Planner
Concurrence:	Matthew Baldwin, MCIP, RPP Director of Planning
Concurrence:	Bob Beckett, Fire Chief
Concurrence:	Lorne Fletcher, Manager of Community Safety and Municipal Enforcement
Concurrence:	Michelle Mahovlich, P.Eng, P.Geo, Director of Engineering
Concurrence:	Brent Molnar, Manager of Land Development
Concurrence:	Steve Ternent, Director of Finance
Concurrence:	Braden Hutchins, Director of Corporate Services
Concurrence:	Jim Bowden, Chief Administrative Officer
Concurrence:	Darren Kiedyk, Deputy Chief Administrative Officer

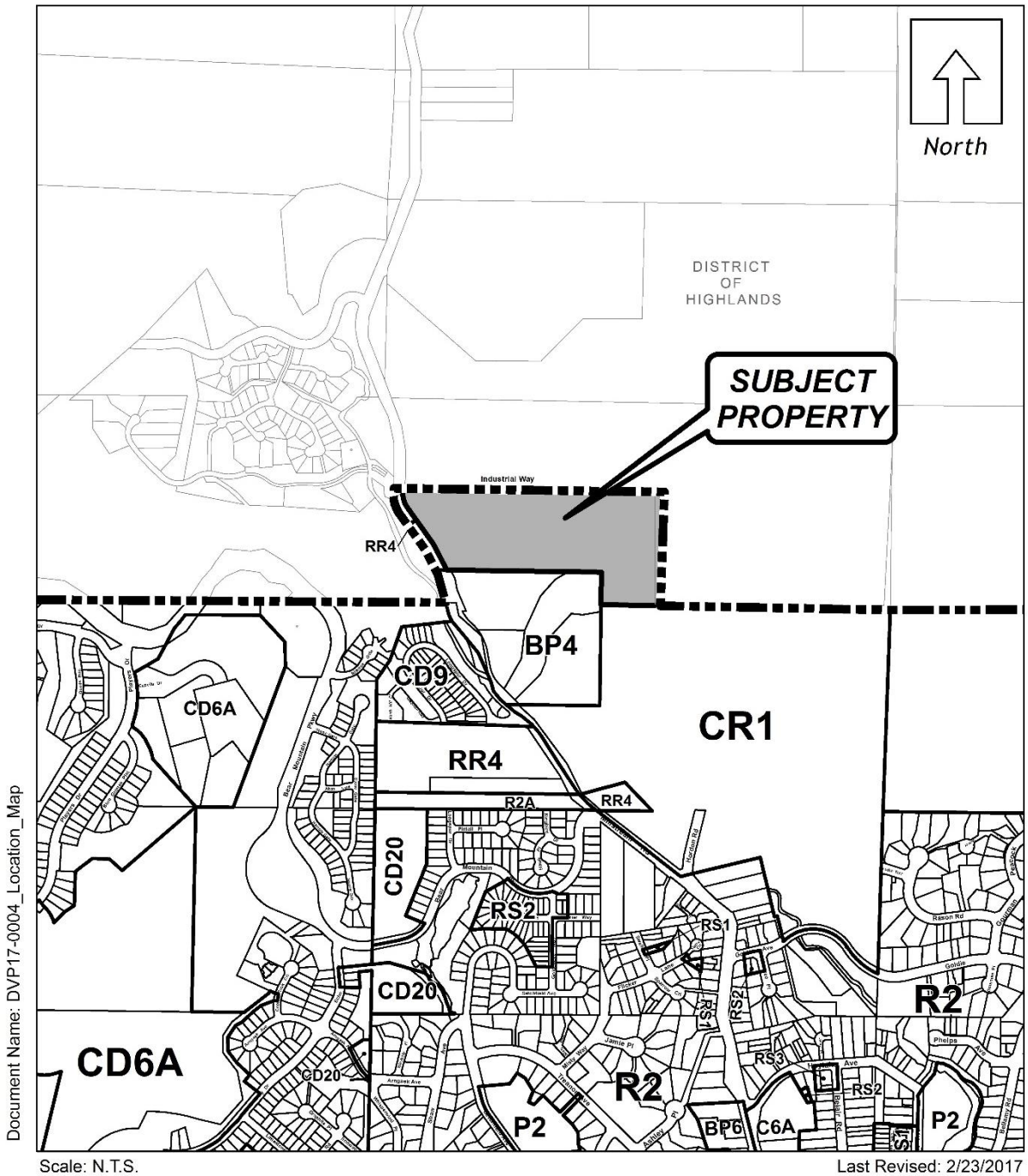
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Appendix A


SRW Plan VIP89119
SRW Plan EPP27465
Easement Plan VIP53453
29.67
31.44
26.47
2.68
23.0
7.11
16.66
9.2
24.58
9.2
40'
40'
30.8
25.2
Proposed Office/ Showroom
Proposed Warehouse Non-Permanent Structure
176'
200'
72'
24'
25.2
145.11
20.12
Millstream Road
14.21
edge of gravel
21.75
19.55
54.04
11.7
12.8
34.30
20.10
Park
Plan VIP70021
Proposed Lease Area=
1.012 ha
(2.50 acres)
57.56
edge of gravel
23.03
1.88
8.35
4.58
5.56
20.10
23.00
Easement Plan EPP45562

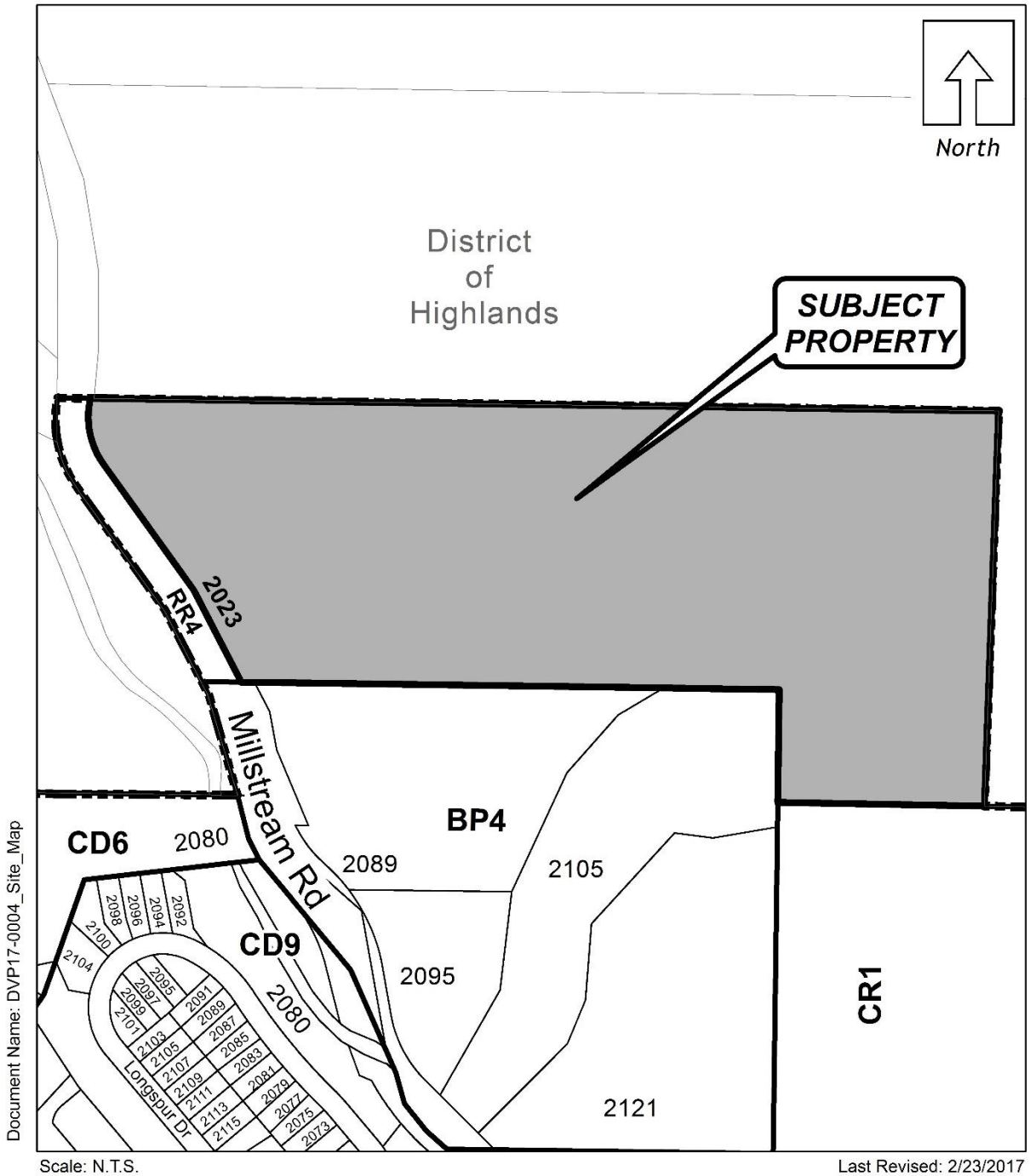
Appendix B

DEVELOPMENT VARIANCE PERMIT
(DVP17-0004)
2023 Millstream Rd



Appendix C

DEVELOPMENT VARIANCE PERMIT
(DVP17-0004)
2023 Millstream Rd



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Staff Report

to

Council

Date: March 20, 2017

Department: Administration

Subject: Approving Officer Appointments

Background and Commentary

The *Land Title Act* requires each municipality to appoint an Approving Officer to apply provincial statutes, regulations and local bylaws to independently make decisions regarding the approval of subdivisions.

Currently in Langford, Land Development & Subdivision Coordinator Brent Molnar is the Approving Officer, while Land Development Technicians' Daryl Minifie, James Oliver and Robert Dykstra act as Deputy Approving Officers. Due to the resignation of Mr. Molnar, appointment of a new Approving Officer is required.

Options

Option 1:

That Deputy Director of Planning Leah Stohmann be appointed as Approving Officer effective March 20th, 2017, and that Land Development Technicians' Daryl Minifie, James Oliver and Robert Dykstra remain as Deputy Approving Officers.

Option 2:

Do not change the Approving Officer appointments at this time.

Respectfully submitted,

Submitted by:	Jim Bowden, Chief Administrative Officer
Concurrence:	Matthew Baldwin, MCIP, RPP Director of Planning
Concurrence:	Michelle Mahovlich, P.Eng, P.Geo, Director of Engineering
Concurrence:	Steve Ternent, Director of Finance
Concurrence:	Braden Hutchins, Director of Corporate Services
Concurrence:	Darren Kiedyk, Deputy Chief Administrative Officer

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Staff Report

to

Council

Date: 20/03/2017

Department: **Finance**

Subject: Revenue Anticipation Borrowing Bylaw – Bylaw No. 1683

Commentary

Bylaw #1683 on tonight's agenda would give authority to temporarily borrow up to $10 million to cover current expenses until taxes are collected.

The main source of revenue for local government is taxation. Taxes are levied at the beginning of June and are due on the first business day in July. Expenses on the other hand are incurred throughout the year. This means that municipalities are faced with a cash flow shortage in the first six months of the year. This shortage can be at least partially offset by accumulated surplus and reserves.

The Community Charter resolves this issue by giving Council the authority to borrow temporarily and repay any amounts borrowed out of tax collections when they are received. Adoption of a revenue anticipation bylaw does not require any approvals.

While the bylaw authorizes up to $10 million in borrowing, only the amount(s) actually required to cover current expenses will be borrowed

Financial Implications

The ability to do temporary borrowing is advisable due to the large capital projects – e.g. Westshore Parkway completion – that are currently under way.

Legal Implications

Revenue anticipation borrowing is authorized by section 177 of the *Community Charter*

Options

1. That Council give three readings to "Revenue Anticipation Borrowing Bylaw No. 1683, 2017" ; **or**
2. That Council not proceed with Bylaw No. 1683

Respectfully Submitted,

Submitted by:	Steve Ternent, Treasurer

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Staff Report

to

Council

Date: **March 20, 2017**

Department: **Administration**

Subject: **Closure and Disposition of a Portion of McCallum Road**

Background
At the Council meeting on February 6, 2017 staff were directed through Council resolution to undertake the necessary steps to close and transfer a portion of McCallum Road to the abutting land owner (McCallum Developments Ltd.) for $20,000. The attached plan outlines the proposed road closure in bold outline.

Commentary
As noted in the original report, McCallum Developments Ltd. already meet their onsite parking requirements, but would simply prefer to add more parking to their site by utilizing this unused portion of municipal road.

Financial Implications
All costs associated with the closure and disposition of this portion of McCallum Road would be the responsibility of the developer. Additionally, the City would receive $20,000 from the sale of this land.

Legal Implications
There are no know legal implications with the proposed closure and disposition of road.

Options
That Council;

1. Give McCallum Road Closure Bylaw No. 1671 1st, 2nd, and 3rd readings.

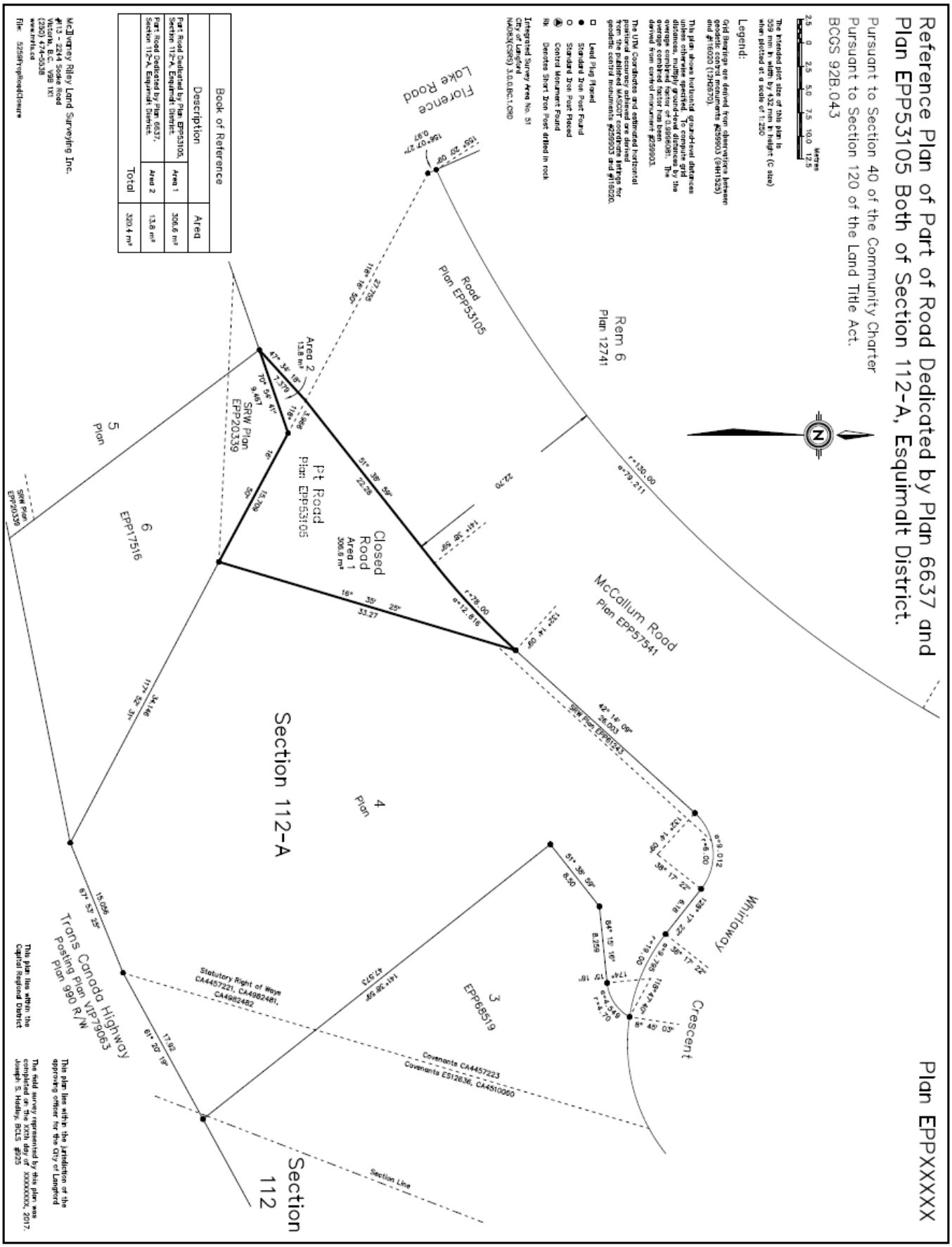
   OR

2. Do nothing at this time, and not close McCallum Road as outlined in this report.

Respectfully Submitted,

Submitted by:	Robert Dykstra, MCIP, RPP Land Development Planner
Concurrence:	Matthew Baldwin, MCIP, RPP Director of Planning
Concurrence:	Michelle Mahovlich, P.Eng, P.Geo, Director of Engineering
Concurrence:	Brent Molnar, Manager of Land Development
Concurrence:	Steve Ternent, Director of Finance
Concurrence:	Jim Bowden, Chief Administrative Officer
Concurrence:	Darren Kiedyk, Deputy Chief Administrative Officer
Concurrence:	Braden Hutchins, Director of Corporate Services

:rd


Reference Plan of Part of Road Dedicated by Plan 6637 and Plan EPP53105 Both of Section 112-A, Esquimalt District.
Plan EPPXXXX
Pursuant to Section 40 of the Community Charter
Pursuant to Section 120 of the Land Title Act.
BCGS 92B.043
Metres
The intended plot size of this plan is 559 millimetres by 432 millimetres (C size) when plotted at a scale of 1:250
Legend:
Grid Bearings are derived from observations between geodetic control monuments #259903 (GH1525) and #116020 (1242870).
This plan shows horizontal ground-level distances unless otherwise specified. To compute grid distances, multiply ground-level distances by the average combined factor of 0.9996081. The average combined factor has been derived from control monument #259903.
The UTM Coordinates and estimated horizontal positional accuracy achieved are derived from the published MASCOT coordinate listings for geodetic control monuments #259903 and #116020.
Lead Plug Found
Standard Iron Post Found
Standard Iron Post Placed
Control Monument Found
Denotes Short Iron Post drilled in rock
Integrated Survey Area No. 51
City of Langford
NAD83(CSRS) 3.0.0.EC.1.CSD
Book of Reference
Description
Area
Part Road Dedicated by Plan EPP53105, Section 112-A, Esquimalt District.
Area 1
306.6 m²
Part Road Dedicated by Plan 6637, Section 112-A, Esquimalt District.
Area 2
13.8 m²
Total
320.4 m²
McElhanney Riley Land Surveying Inc.
#13 - 2244 Soke Road
Victoria, B.C.
V9B 1X1
(250) 478-5538
www.mrla.ca
File: 5258MRroadClosure
Florence Lake Road
Road Plan EPP53105
Rem 6 Plan 12741
McCallum Road Plan EPP57541
Area 2 13.8 m²
SRW Plan EPP20339
Pt Road Plan EPP53105
Closed Road Area 1 306.6 m²
5 Plan
6 EPP17516
4 Plan
Section 112-A
3 EPP68519
Whiffingway
Crescent
Trans Canada Highway Posting Plan VIP79063 R/W
Statutory Right of Ways CA4457221, CA4982481, CA4982482
Covenants CA4457223 Covenants ES12636, CA4510060
Section 112
Section Line
This plan lies within the Capital Regional District
This plan lies within the jurisdiction of the approving officer for the City of Langford
The field survey represented by this plan was completed on the XXth day of XXXXXXXXX, 2017.
Joseph S. Hadley, BCLS #925

CITY OF LANGFORD
ROAD CLOSURE BYLAW NO. 1671, 2017
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 320 square metres (3,418 square feet), which was dedicated as highway by Plans EPP53105 and 6637, shown outlined in a bold black line on the reference plan prepared by Joseph S. Hadley, BCLS on the 6th day of March, 2017, 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 320.6 square metres of highway, which was dedicated as highway by Plans EPP53105 and 6637, labelled "Closed Road Area 1 and 2" 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. 1671, 2017”.

READ A FIRST TIME this day of, 2017.

READ A SECOND TIME this day of, 2017.

READ A THIRD TIME this day of, 2017.

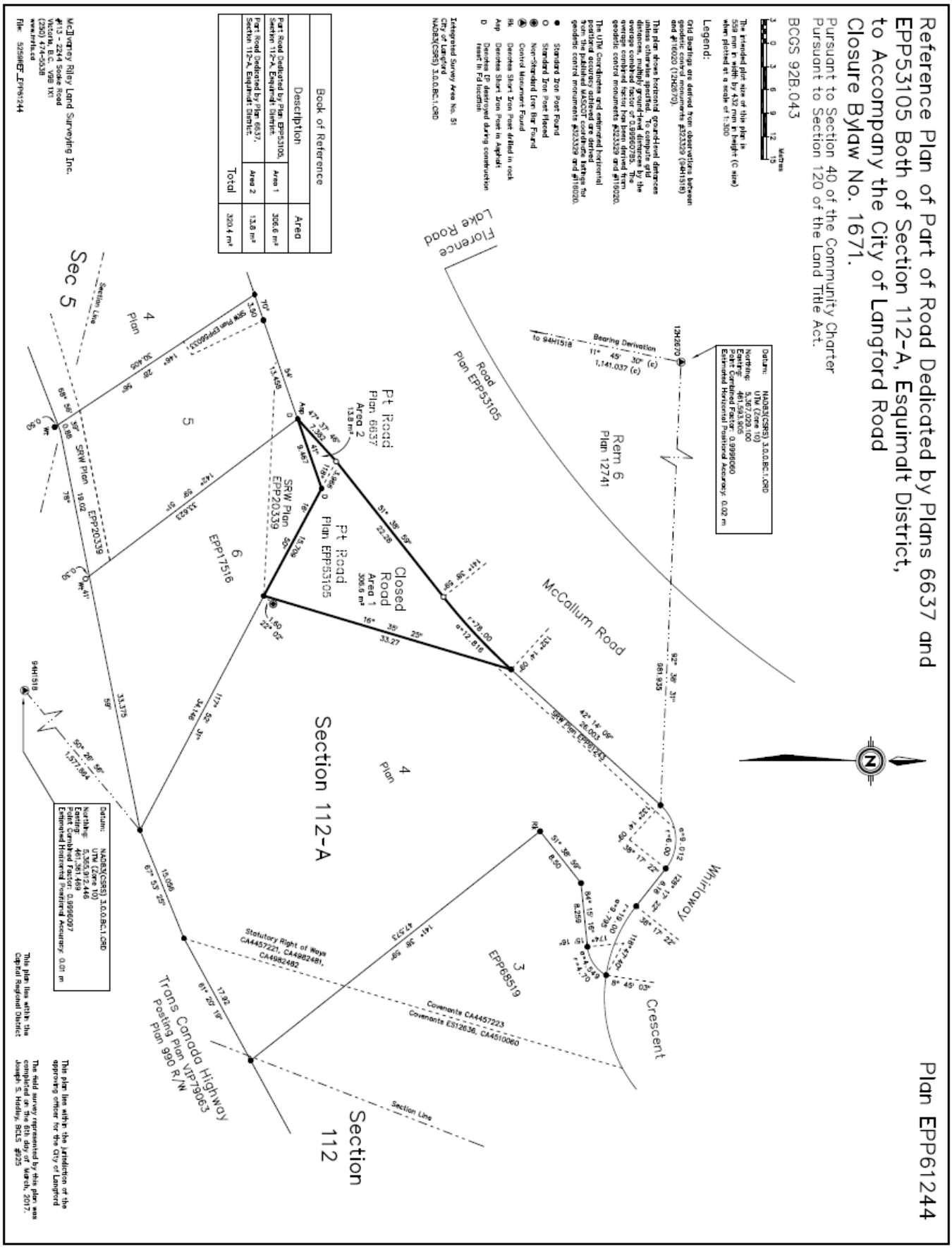
APPROVED BY THE MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE THIS DAY OF, 2017.

ADOPTED this of, 2017.

MAYOR

(Certified Correct)
CHIEF ADMINISTRATIVE OFFICER

SCHEDULE "A" – Road Closure Plan



CITY OF LANGFORD
BYLAW NO. 1679

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 **R2 (One- and Two-Family Residential)** Zone and adding to the **RS1 (Residential Small Lot 1) Zone** the properties legally described as LOT 1, SECTION 1, RANGE 2 WEST, HIGHLAND DISTRICT, PLAN VIP55565; PID No.: 018-036-759 (592 Phelps Ave) in the portions as shown shaded on Plan No. 1 attached to and forming part of this Bylaw.

2. By replacing Section 6.23.02(1) with the following: "No lot having and area less than 850 m² (9,150 ft²) may be created by subdivision in the Residential Small Lot (RS1) Zone."

3. By replacing Section 6.23.02(2)(a)(b)(c) with the following: "Notwithstanding Subsection 6.23.02(1), on land whose legal description is set out in Table 1 of Schedule AD, the lot size for subdivision of lots for a one-family dwelling use may be 370 m² (4,000 ft²) if the owner of the land proposed to be subdivided:

   (a) Pays to the City the amount specified in Column 4 of Table 1 of Schedule AD, prior to the time of subdivision."

4. By adding the following line 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	1679	LOT 1, SECTION 1, RANGE 2 WEST, HIGHLAND DISTRICT, PLAN VIP55565 (592 Phelps Ave)	a) $3,960 per lot towards the General Amenity Reserve Fund; b) $660 per lot towards the Affordable Housing Reserve Fund.	No

B. This Bylaw may be cited for all purposes as “Langford Zoning Bylaw, Amendment No. 475, (592 Phelps Ave), 2017".

READ A FIRST TIME this day of, 2017.

PUBLIC HEARING held this day of, 2017.

READ A SECOND TIME this day of, 2017.

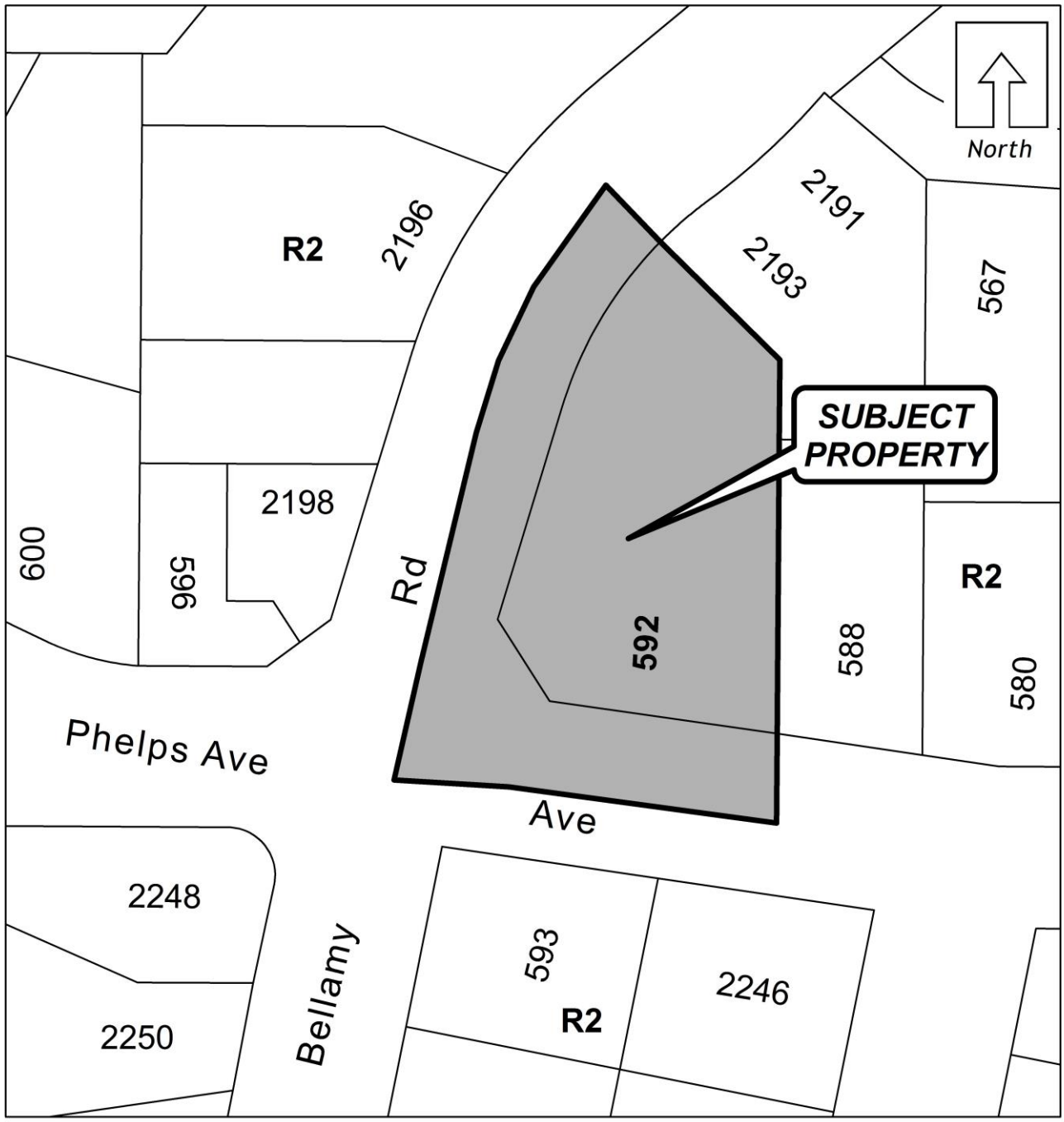
READ A THIRD TIME this day of, 2017.

APPROVED BY THE MINISTRY OF TRANSPORTATION this day of , 2017.

ADOPTED this day of , 2017.

MAYOR

(Certified Correct)
CORPORATE OFFICER



Document Name: Bylaw_1679

I HEREBY CERTIFY THIS TO BE A TRUE COPY
OF PLAN No. 1 AS DESCRIBED
IN SECTION A1 OF BYLAW No. 1679

_____
MAYOR

ADOPTION: _____

_____
CORPORATE OFFICER

Scale: N.T.S.

Last Revised: 3/1/2017

City of Langford
www.cityoflangford.ca

Staff Report to Council

Date:	**March 20, 2017**
Department:	**Planning**
Application No.:	**Z16-0017**
Subject:	**Bylaw No. 1681 - Application to amend the zoning designation of the property at 2762 and 2768 Claude Road from R2 (One-Family Residential) to a new MU2 (Mixed-Use Residential Commercial Zone) to allow for the construction of a (10) storey residential building consisting of approximately 117 dwelling units**

At the Regular Meeting of Council on March 6th, 2017, Council passed the following resolution with respect to the properties at 2762 and 2768 Claude Road:

1. *Direct staff to prepare a bylaw to amend the zoning designation of the property located at 2768 and 2762 Claude Rd from R1 (One-Family Residential) to MU2 (Mixed-Use Residential Commercial) subject to the following terms and conditions:*

    a. *That the following contributions are included in the bylaw as an amenity for increased density, to be payable at the time of building permit:*
        i. *$1,525 per unit towards the General Amenity Reserve Fund; and*
        ii. *$610 per unit towards the Affordable Housing Reserve Fund.*

    b. *Notwithstanding 1. a, if the project is secured as rental housing, the following contributions are included in the bylaw as an amenity for increased density, to be payable at the time of building permit:*
        i. *$381.25 per unit towards the General Amenity Reserve Fund; and*
        ii. *$152.50 per unit towards the Affordable Housing Reserve Fund.*

    c. *That the applicant provide the following items **prior to Public Hearing**:*
        i. *A road dedication plan;*

    d. *That the applicant provide the road dedication to the City **prior to bylaw adoption**.*
    e. *That the applicant register a Section 219 covenant, **prior to bylaw adoption**, that includes the following:*

i. *The owner pay for and construct all works to restrict left turn movements southbound on Claude Road to Goldstream Avenue prior to issuance of Occupancy Permit;*
ii. *The owner provide a traffic and public safety plan and construction parking management plan, prior to any onsite works and/or clearing, to the satisfaction of the Director of Engineering;*
iii. *The applicant shall construct frontage improvements, works and services to the standards of Subdivision and Development Servicing Bylaw No. 1000 and to the satisfaction of the Director of Engineering; and*
iv. *The owner will register on title a Section 219 covenant for stormwater maintenance prior to the request for Occupancy Permit as a condition of rezoning.*

2. *Direct the Director of Planning to apply the Bear Mountain and Westhills design guidelines for tall buildings to the subject development.*

3. *Direct staff to amend the Multi-Family Design Guidelines to include design guidelines for tall buildings.*

4. *Direct staff to amend the MU2 zone to increase the Floor Space Ration from 4 to 5.*

5. *Direct the Director of Planning to issue the variance to reduce the front yard setback from 1.2m to 0m in the time of Development Permit, for a portion of the building and generally in accordance with the plans attached.*

6. *Direct the Director of Planning to issue the parking variance in the Development Permit subject to the applicant paying the City $5,000 for the one deficient stall prior to issuance of a building permit.*

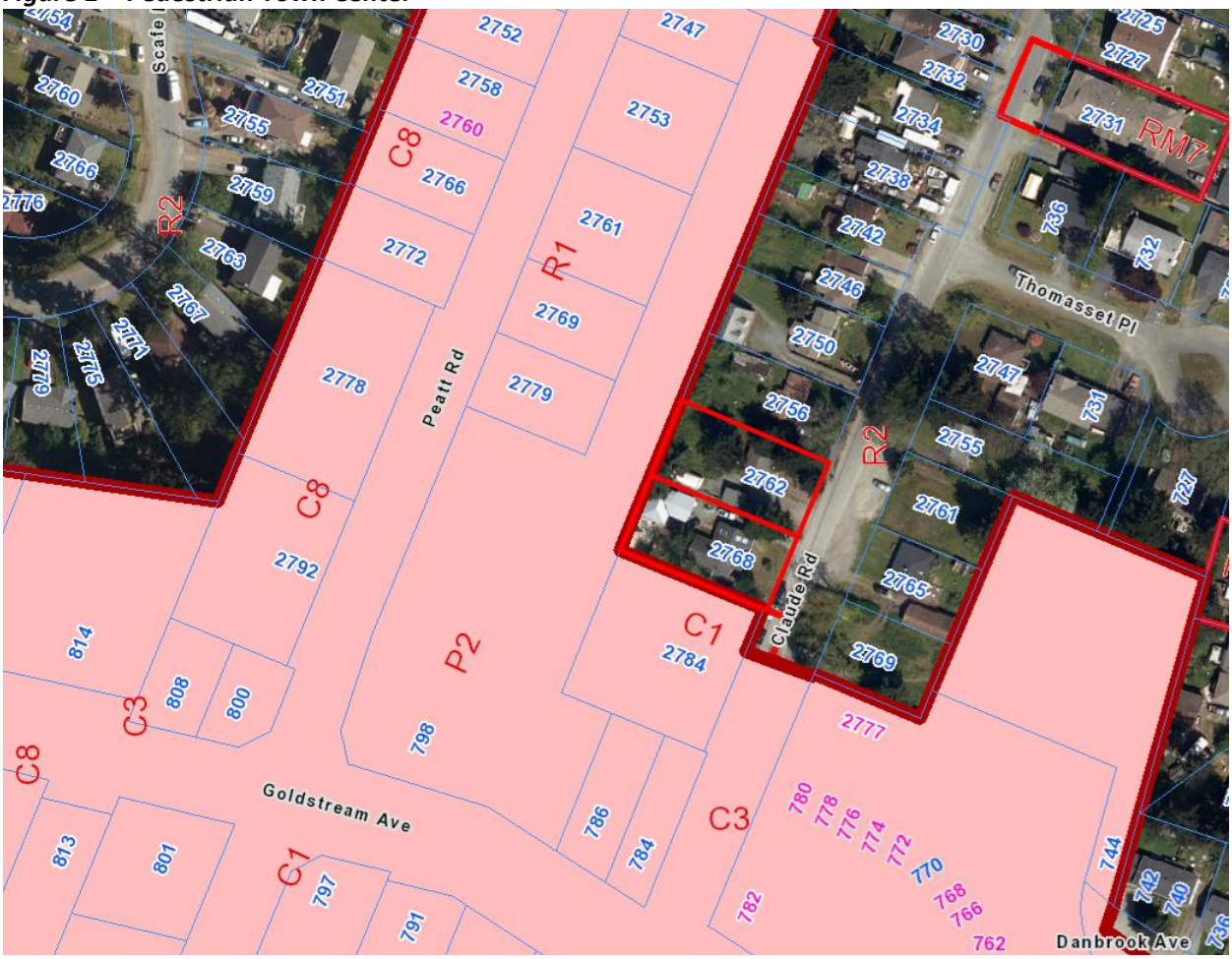
Comments

Pedestrian Town Center and Amenity Reductions

Properties that are in the PTC area qualify for a reduction in amenity fees (75% for rental housing) if the building is 4 storeys in height or greater and providing the applicant constructs a sidewalk along the property frontage. Shown below in Figure 1, the subject properties are just outside of the PTC. Given the site's close proximity, the applicant is requesting Council consider including the subject properties in the PTC as it's a logical contiguous extension and would then provide a reduction in amenity contributions.

Council may also consider directing staff to revisit the boundaries of the Pedestrian Town Centre and report back to Council at a later date.

Figure 1 – Pedestrian Town Center



Proposed Change in Height

The applicant has just requested to increase the height from 10 storeys to 11 storeys and to lower the number of dwelling units from 117 to 100. This will allow the applicant to avoid 1 less storey of underground parking and will allow for a more slender looking building. The new proposal will also allow for the 5 visitor parking spaces to now be provided onsite.

If Council is supportive of the proposed change, the MU2 zone would have to be amended to increase the permitted height from 10 storeys to 11 storeys.

As such, staff have prepared Bylaw No. 1681 with the changes noted above and in accordance with Council's resolution of March 6th, 2017. As Council has not set any conditions that must precede first reading of this bylaw, Council may now wish to give Bylaw No. 1681 first reading.

A public hearing, in accordance with requirements of the *Local Government Act,* will be required if Council wishes to proceed further with Bylaw No. 1681.

OPTIONS

Option 1

That Council:

1. Amend the MU2 (Mixed-Use Residential Commercial Zone) to change the maximum permitted height from 10 storeys to 11 storeys.

2. Direct staff to revisit the boundaries of the Pedestrian Town Centre and report back to Council at a later date.

3. Consider the subject properties as being in the Pedestrian Town Centre area, and give first reading to Bylaw No. 1681 as presented.

Option 2

1. Take no action at this time with respect to Bylaw No. 1681.

Respectfully Submitted,

Submitted by:	Grant Liebscher, Planner II
Concurrence:	Matthew Baldwin, MCIP, RPP Director of Planning
Concurrence:	Michelle Mahovlich, P.Eng, P.Geo, Director of Engineering
Concurrence:	Brent Molnar, Manager of Land Development
Concurrence:	Steve Ternent, Director of Finance
Concurrence:	Braden Hutchins, Director of Corporate Services
Concurrence:	Jim Bowden, Chief Administrative Officer
Concurrence:	Darren Kiedyk, Deputy Chief Administrative Officer

:gl

CITY OF LANGFORD
BYLAW NO. 1681

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 **R2 (One- and Two-Family Residential)** Zone and adding to the **MU2 (Mixed-Use Residential Commercial 2) Zone** the properties legally described as: THAT PART OF LOT 6 SECTION 72 ESQUIMALT DISTRICT PLAN 3544 LYING TO THE NORTH OF A STRAIGHT BOUNDARY JOINING THE POINTS OF BISECTION OF THE NORTH WESTERLY AND SOUTH EASTERLY BOUNDARIES OF SAID LOT; PID No.: 006-227-431 (2762 Claude Rd); THAT PART OF LOT 6, SECTION 72, ESQUIMALT DISTRICT, PLAN 3544, LYING TO THE SOUTH OF A STRAIGHT BOUNDARY JOINING THE POINTS OF BISECTION OF THE NORTH WESTERLY AND SOUTH EASTERLY BOUNDARIES OF SAID LOT, PID No.: 006-227-449 (2768 Claude Rd) in the portions as shown shaded on Plan No. 1 attached to and forming part of this Bylaw.

2. By deleting and replacing Section 6.56.04 (1) with the following: "Except as provided in subsections (2) and (3) below, the floor area ratio may not exceed 0.3, and in no case may it exceed 5."

3. By deleting and replacing Section 6.56.04 (2) with the following: "The floor area ratio may exceed 0.3 and in no case may it exceed 5 if the owner provides 75% of the parking spaces required by this Bylaw in an underground or completely enclosed parking structure, in addition to meeting the requirements in subsection (3) below."

4. By deleting and replacing Section 6.56.04 (3) with the following: "Notwithstanding Section 6.56.04(1), on land whose legal description is set out in Table AD, the density of development may exceed a floor space ratio of 0.3 to a maximum floor area ratio of 5 if the owner of the land proposed to be developed:

    (a) pays to the City the amount specified in Column 4 of Table 1 of Schedule AD, prior to the issuance of a building permit."

5. By deleting and replacing Section 6.56.06 (1) with the following: "No building or structure may have a height less than two storeys or exceed a height of eleven stories".

6. By adding the following line to Table 1 of Schedule AD:

Zone	Bylaw No.	Legal Description	Amenity Contributions	Eligible for Reduction in Section 2 of Schedule AD (Column 5)

MU2	1681	THAT PART OF LOT 6 SECTION 72 ESQUIMALT DISTRICT PLAN 3544 LYING TO THE NORTH OF A STRAIGHT BOUNDARY JOINING THE POINTS OF BISECTION OF THE NORTH WESTERLY AND SOUTH EASTERLY BOUNDARIES OF SAID LOT (2762 Claude Rd); and THAT PART OF LOT 6, SECTION 72, ESQUIMALT DISTRICT, PLAN 3544, LYING TO THE SOUTH OF A STRAIGHT BOUNDARY JOINING THE POINTS OF BISECTION OF THE NORTH WESTERLY AND SOUTH EASTERLY BOUNDARIES OF SAID LOT (2768 Claude Rd)	1. a. $1,525 per unit towards the General Amenity Reserve Fund; and b. $610 per unit towards the Affordable Housing Reserve Fund. 2. Notwithstanding Section 1 above, if the project is secured as rental housing, the following contributions are required: a) $381.25 per unit towards the General Amenity Reserve Fund; and b) $152.50 per unit towards the Affordable Housing Reserve Fund.	Yes

B. This Bylaw may be cited for all purposes as “Langford Zoning Bylaw, Amendment No. 477, (2762 and 2768 Claude Rd), 2017".

READ A FIRST TIME this day of, 2017.

PUBLIC HEARING held this day of, 2017.

READ A SECOND TIME this day of, 2017.

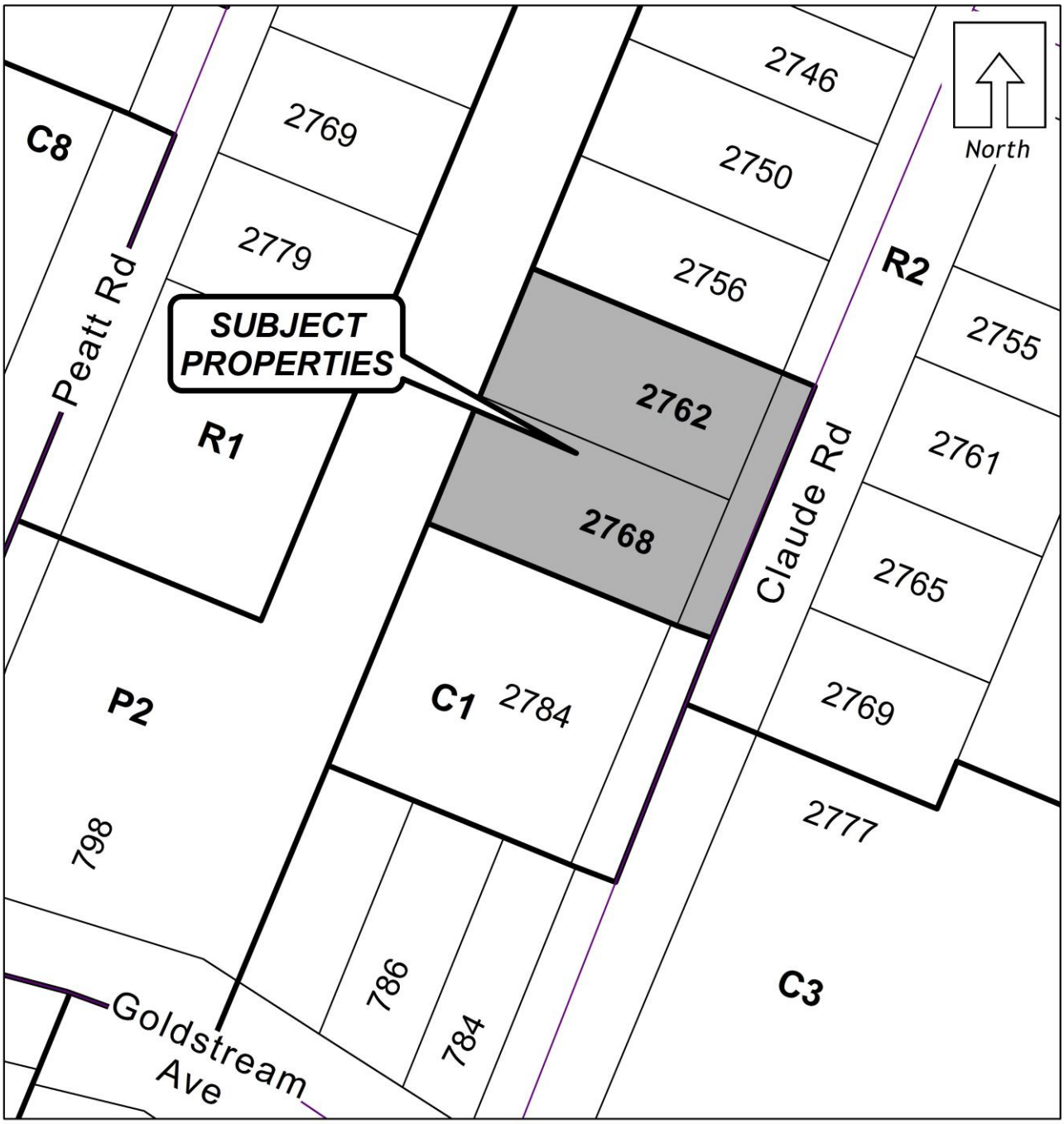
READ A THIRD TIME this day of, 2017.

APPROVED BY THE MINISTRY OF TRANSPORTATION this day of , 2017.

ADOPTED this day of , 2017.

MAYOR

(Certified Correct)
CORPORATE OFFICER



Document Name: Bylaw_1681

I HEREBY CERTIFY THIS TO BE A TRUE COPY
OF PLAN No. 1 AS DESCRIBED
IN SECTION A1 OF BYLAW No. 1681

_____
MAYOR

ADOPTION: _____

_____
CORPORATE OFFICER

Scale: N.T.S.

Last Revised: 3/3/2017

CITY OF LANGFORD

BYLAW NO. 1683

A BYLAW TO PROVIDE FOR THE BORROWING OF MONEY IN ANTICIPATION OF REVENUE.

WHEREAS the municipality may not have sufficient money to meet current lawful expenditures of the municipality before receipt of current year tax revenues;

AND WHEREAS it is provided by Section 177 of the Community Charter, that Council may, by bylaw, provide for the borrowing of money that may be necessary to meet current lawful expenditures

AND WHEREAS the debt outstanding shall not exceed the total of the unpaid taxes for all purposes imposed during the current year and the money remaining due from other governments;

NOW THEREFORE the Council of the City of Langford, in open meeting assembled, ENACTS AS FOLLOWS:

1. The Council is hereby empowered and authorized to borrow upon the credit of the municipality, an amount or amounts not exceeding the sum of Ten Million dollars ($10,000,000) as the same may be required and to pay interest thereon at current market rates.

2. All taxes of the current year when levied or so much thereof as may be necessary, shall, when collected, be used to repay the money so borrowed.

3. This Bylaw may be cited as "Revenue Anticipation Borrowing Bylaw No. 1683, 2017".

READ A FIRST TIME this day of, 2017.

READ A SECOND TIME this day of , 2017.

READ A THIRD TIME this day of , 2017.

RECONSIDERED AND FINALLY ADOPTED this day of, 2017.

MAYOR

(Certified Correct)
CORPORATE OFFICER

City of Langford
www.cityoflangford.ca

Staff Report

to

Council

Date: March 20, 2017

Department: **Planning**

Application Number: **Z17-0009**

Subject: Local Government Involvement in the Review of Liquor Store Licenses

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COMMENTARY

Recently it has come to the attention of staff that a large grocery store obtained approvals from the Liquor Control and Licensing Branch (LCLB) to include the sale of local BC wine. This was done through a "Specialty Wine License" obtained through an auction held by the Provincial Government. This type of license allows the sale of locally sourced wine in addition to the sale of food and goods in a large format (greater than 10,000 ft^2) retail store setting. An information sheet attached as Appendix A provides more information regarding Specialty Wine liquor licences.

When City of Langford staff inquired about local government involvement in permitting Specialty Wine license, we were told that the LCLB confirms that the location of the licensee complies with municipal zoning regulations. In this instance, City staff were consulted regarding the zoning of the location and gave the LCLB the affirmative answer that the zoning permitted a licensed premises

Local government resolution is not required for three types of licenses that allow for the sale of liquor for consumption off site. "Specialty Wine Stores," as mentioned, "Wine Stores," and the more prolific "Licensee Retail Stores," do not require anything more formal beyond confirmation that a licensed premise is permitted in the zone. Currently the following zones in the City of Langford allow for a licensed premise, which according to the LCLB, would permit all three types of liquor retail licenses:

- C3 (District Commercial)
- C6 (Neighbourhood Public House) – Liquor Store is already listed as a separate use
- C6A (Neighbourhood Mixed Use) – Liquor Store is already listed as a separate use
- C6C (Neighbourhood Mixed Use McCallum)
- C8 (Community Town Centre Pedestrian)
- C8A (Community Town Centre Pedestrian)
- CT3 (Tourist Commercial – Hotel) – permitted as an Accessory Use

- MUE1 (Mixed Use Employment)
- C10 (Langford City Centre)
- MU2 (Mixed Use Residential Commercial) – Liquor Store is already listed as a separate use
- BP1 (Business Park 1 – Millstream Road West) – permitted only on specific lands
- BP2A (Business Park 2A – Sooke Road West)
- BP3 (Business Park 3 – Amy Road)
- BP7 (Business Park 7 – Henry Eng)
- P2 (Community Institutional) – permitted as an Accessory Use
- P4 (Park and Open Space) – permitted as an Accessory Use
- CD1 (Goldstream Meadows)
- CD2 (Hull's Field)
- CD3 (Westhills)
- CD4 (Olympic View)
- CD6 (Bear Mountain)
- CD6A (Bear Mountain)
- CD7 (Sooke/Jacklin)
- CD12 (South Skirt Mountain)

As Council's current prerogative is to provide resolutions on liquor primary establishments they may also want the opportunity to review and place conditions on applications for the retail sale of liquor. To do this Council may wish to consider amendments to Zoning Bylaw No. 300 that would require Council discretion be applied. As there are several mechanisms through zoning to achieve this, Council may wish to direct staff to prepare a bylaw to amend the Zoning Bylaw so that Council would have the opportunity to consider applications for liquor retail sales.

OPTIONS

Option 1

Give Bylaw 1685 First Reading, as presented;

OR Option 2:

Amend Bylaw 1685 and give it First Reading as amended;

OR Option 3:

Take no action at this time.

Respectfully submitted,

Submitted by:	Lauren Morhart, MCIP, RPP Planner 2
Concurrence:	Matthew Baldwin, MCIP, RPP Director of Planning
Concurrence:	Bob Beckett, Fire Chief
Concurrence:	Lorne Fletcher, Manager of Community Safety and Municipal Enforcement
Concurrence:	Mike Leskiw, Parks and Recreation Manager
Concurrence:	Michelle Mahovlich, P.Eng, P.Geo, Director of Engineering
Concurrence:	Brent Molnar, Manager of Land Development
Concurrence:	Leah Stohmann, Deputy Director of Planning / Approving Officer
Concurrence:	Steve Ternent, Director of Finance
Concurrence:	Braden Hutchins, Director of Corporate Services
Concurrence:	Jim Bowden, Chief Administrative Officer
Concurrence:	Darren Kiedyk, Deputy Chief Administrative Officer

:lhm

Appendix A

November 3, 2016

Special Wine Store Licence Auctions – 2nd Set
Licence Application Information

Introduction

The Special Wine Store Licence Auction Act and Regulation allows the General Manager of the Liquor Control and Licensing Branch (LCLB) to hold auctions to determine eligibility for up to 18 licences, which will allow the sale of 100% BC wine, cider and sake from grocery store shelves. The purpose of the auction is to allocate a limited number of licences and raise revenue for government.

In the spring of 2016 there was a series of six auctions to determine eligibility for six licences. In December a further six auctions will be held. Up to six more auctions beyond this may be conducted at a later date, yet to be determined.

Interested parties will need to apply to participate in the auctions, even if you registered for the first round. Only grocery stores which meet the specified regulatory criteria will be eligible to bid. Successful bidders will be given the opportunity to apply for a new class of licence, a Special Wine Store (SWS) licence, which will only be available to these bidders.

SWS Licence Model

Products Permitted for Sale

The SWS licence allows the sale of 100% BC wine products off grocery store shelves. The licence must be held by the same legal entity as the grocery store. SWS licensees may sell the following wine products manufactured in BC:

- Wine fermented from BC plant products, honey, or milk products
- Cider manufactured from BC plant products
- Sake made from BC grown rice

These are the only liquor products permitted to be sold by the grocer.

Storage, Display and Tasting Requirements

The product for sale must be stocked in designated display areas. The licensee is responsible for determining their product display area and the tasting area, if tastings are offered. The product display area does not need to be bounded and may encompass a variety of shelf configurations such as a small corner of the store, a kiosk, or multiple shelves on one or both sides of an aisle, for example, as long as the following conditions are met:

- All product to which the public has access must be within one contiguous product display area within the grocery store, and
- The liquor must be able to be secured and inaccessible to the public during the hours that liquor is not available for sale (e.g. when licensed hours do not align with the grocery store's hours of operation).

The licensee may move the product display area within the grocery store without notifying the Branch, as long as it continues to meet the above-noted conditions.

Liquor inventory must be securely stored within the non-public areas of the store (i.e. stockroom) or in an approved off-site storage facility.

One tasting area is permitted for each SWS licence. It must be immediately adjacent to the product display area and must be defined by a physical barrier (e.g. ropes and stanchions). Only product offered for sale by the licensee may be offered for tasting.

Auction Participation

The auction will be conducted by BC Auction, an agency of the BC government, under an agreement with LCLB. The SWS Auction will take place on a secure private website, accessible off the BC Auction main page. The SWS auction site is only viewable and accessible to registered bidders.

Pre-Screening by LCLB and Auction Deposit:
If you are interested in bidding on the opportunity to apply for an SWS licence, you must be pre- screened to ensure you meet the requirements. You must submit the Special Wine Store Auction Bidding Registration Form (LCLB313) and the required auction deposit to LCLB.

Note: If you participated in the first round of auctions you will still need to apply for the second round and pay your deposit.

To qualify to participate in the auction, you must own the grocery store business and you must either own or lease the establishment where it is or will be located, and the grocery store must:

- Be primarily engaged in retailing a general line of foods, including canned, dry and frozen food, fresh fruits and vegetables, fresh and prepared meats, fish and poultry, dairy products, baked products and snack foods, and non-liquor juices, carbonated beverages and flavoured beverages.
- Have an area of at least 929 square metres (approximately 10,000 square feet), including storage space.
- Not already be the site of an existing or proposed licensee retail store, wine store or BC Liquor Store (i.e. Liquor Distribution Branch store).

To maintain eligibility as a grocery store once licensed, food and non-liquor beverage sales revenue must account for:

- at least 70% of the total non-liquor sales revenue each year.
- over 50% of the total sales revenue each year.

Convenience stores and multipurpose stores are not eligible for licensing. Your proposed grocery store site may be located anywhere in the province.

There are no geographic restrictions on the locations of Special Wine Stores, and there are no other provincial restrictions on the proximity of your proposed site to other liquor retailers, public or private, whether they are standalone or are located in grocery stores. However, note that LCLB is not authorized to issue any type of licence, including SWS licences, unless the proposed site is zoned correctly by the appropriate local government/First Nation.

There are no restrictions on the number of SWS licences that may be held by any one business.

If you are bidding on more than one grocery store, you must provide the required information for each store, up to a maximum of 6, and submit a $25,000 auction deposit for each of the grocery stores. The auction deposit must be in the form of a bank draft, certified cheque, business cheque or money order made payable to the Minister of Finance.

The registration form and deposit must be received at LCLB headquarters by 4:30 p.m., November 24, 2016. Please refer to the registration form for details. Late submissions will not be accepted.

No Claim Against the Province
All bidders will be required to acknowledge that they have no claim against the BC government arising from changes to law or government operations or policies that may affect the value of a grocery store in which a special wine store is located, a special wine store, or a special wine store licence, including but not limited to granting additional licences.

Notification of Approved Bidders
Once your LCLB auction registration form and deposit have been submitted to LCLB and approved, LCLB will notify both you and BC Auction that you may register as a bidder with BC Auction within the time frame specified in the approval notification. BC Auction will not finalize your registration until you have acknowledged in writing to them that you accept the terms and conditions of the auction.

LCLB will also notify unsuccessful applicants that they are not eligible to bid and will refund the deposit.

Bidder Registration and Activating Your Account for Bidding:
As part of the notification from LCLB that you are an approved bidder, you will be directed to contact BC Auction to obtain your USER ID and temporary password. Each USER ID will be linked to your business and your pre-screened grocery store location(s). If you are interested in applying to put a SWS into more than one grocery store, your USER ID will be activated for the bidding for the number of grocery stores for which you have been successfully pre-screened. For example, if you have been pre-screened for 4 grocery store locations, your USER ID will allow you to bid on any SWS auction until you have won 4 auctions. If that occurs, your USER ID will be deactivated so that you may not enter any more auctions.

Once you are logged on you will be able to use the navigation pane to change your password, view BC Auction's auction terms and conditions, and view all open or closed SWS auctions you are watching or on which you have bid.

Auction Dates
The six SWS auctions will run sequentially and are planned to begin on December 6, 2016. Each auction will take place over 24 hours, beginning at 12:00 noon Pacific time and ending at noon the following day, with one business day interval between each auction. Auction start dates, subject to change, are December 6, 8, 13, 15, 20 and 22.

Bidding on an Auction
The minimum bid amount (also called the reserve bid) in each SWS auction is $125,000.

The auction window contains all the information you will need for bidding, such as the auction number, auction start date and time, time left for bidding, the current high bid and number of bids.

The window contains a field to enter and submit your bid, which must be above $125,000. A second window pops up to confirm the amount entered before applying the bid to the auction.

A successful bidder is determined by the highest bid.

Proxy Bidding
You have the option of entering either a current bid or a proxy (maximum) bid. If you enter a proxy bid, your maximum bid is kept confidential from other bidders until your maximum bid has been exceeded by another bidder.

The system compares your bid to other bidders and places bids on your behalf based on set bid increments (see below), using only as much of your bid as is necessary to maintain your high bid position. The system will keep outbidding anyone who enters a bid lower than your proxy bid and inform you of the activity until you are outbid. If another bidder has a higher proxy bid, you'll be outbid right away. If you are outbid, you will be notified via email and you may enter a new bid. If your bid is the current high bid, the amount and your USER ID (but not your name) will be visible to other bidders. If no other bidder has a higher proxy bid, you win the auction, and you could pay significantly less than your maximum bid.

Bid increments for proxy bidding increase in conjunction with the value of the current highest bid. The following table shows how the bid increments will be applied.

Current Highest Bid	Bid Increment
$125,000-$199,999	$1,000
$200,000-$299,999	$2,000
$300,000-$399,999	$3,000
$400,000-$499,999	$5,000
$500,000 and up	$10,000

You will also be able to follow the progress of bids in the "Bid History" tab, which allows you to see:

- USER IDs of bidders and watchers;
- How many auctions they have won;
- The date and time the user submitted the bid; and
- The amount of the bid.

Successful bidders are notified at the end of each auction. If you have won the number of auctions permitted under your USER ID (i.e. this is the same as the number of grocery stores that have been pre-screened by LCLB) your USER ID becomes invalid for further bidding.

It is the bidder's responsibility to determine the suitability of a bid. Bidders should ask any questions to BC Auction before placing a bid. Once a bid is placed, it cannot be retracted. If you are a successful bidder and do not honour your bid, your SWS licence will not be issued.

Return of Deposit
If you are a successful bidder, your deposit will be subtracted from your bid amount when your licence has been approved. Successful bidders' deposits are non-refundable. The lone exception to the non-refundable policy is if the LCLB general manager determines during the licence application review stage that the successful bidder is not a fit and proper person under section 16(1)(a) of the Liquor Control and Licensing Act.

If you are an unsuccessful bidder, and do not wish to remain on the record of unsuccessful bidders, you may request a refund of your deposit from LCLB. Once your deposit has been refunded, you will be removed from the record of unsuccessful bidders and will lose the opportunity to apply for a SWS licence should a successful bidder fail to complete the application process, withdraw or have their application terminated by the LCLB.

All remaining deposits from unsuccessful bidders will be refunded by LCLB once the 6 SWS licences have been issued.

Payment of Bid Amount
Successful bids are not payable until the SWS licence has been approved by LCLB. If you are a successful bidder and have gone on to successfully complete the SWS application process, you will receive notification from LCLB at the appropriate time to pay your auction bid. At that time, the full bid amount, less the deposit, is payable. This is the final step in the process before your SWS licence will be issued.

Successful bids are not subject to PST, but 5% GST is payable (as per Canada Revenue Agency memorandum 18.2, paragraph 4). Payment must be in the form of bank draft, certified cheque, business cheque or money order made payable to the Minister of Finance.

Special Wine Store Licensing Process

Rankings for LCLB SWS Licensing Purposes
Once all the auctions are completed BC Auction will provide LCLB with:

- a list of the 6 successful bidders.
- a record of all unsuccessful bidders for each auction and the value of their bids.

The successful bidders from each auction will now be able to apply for an SWS licence. LCLB will provide successful bidders with a link to the SWS application package and these bidders will have 60 days in which to submit a complete application.

LCLB will also maintain a record of unsuccessful bidders, ranked according to the value of their bids. Should an SWS applicant fail to successfully complete the SWS application process, the LCLB will notify the highest ranked candidate on the record of unsuccessful bidders from the 6 auctions that they may apply. This process will continue until all the SWS licences have been issued.

In the event that the 6 licences have not been successfully issued at the end of this process, LCLB may conduct further auctions until all the licences have been issued.

SWS Licensing Process
Your application package will contain information on:

- Required documentation
- Application and licence fees
- How to submit your application
- Required time frames
- Local government/First Nation approvals required
- Your responsibilities as a SWS licensee
- Inspections

The licensee must submit a security and staff training plan to the LCLB, indicating how they will guard against shoplifting, and how they will ensure minors and intoxicated persons do not access the product on the shelf.

LCLB Notification of SWS Licence Approvals
Once your application has been approved you will be notified by LCLB and directed to pay your bidden amount to LCLB within 30 days. Once you have paid your bidden amount, less deposit, and your first year licence fee, your licence will be issued.

Licence Fees
The licence application fee is $2,200, payable with your application. The first year licence fee payable at the time of licensing is also $2,200. The licence fee for subsequent years is determined by the dollar value of liquor purchases in the year preceding and the fee ranges from $250 - $2,200 per annum. All fees should be made payable to the Minister of Finance.

SWS Relocations and Transfers of Ownership
If you wish to change the grocery store location associated with a successful bid, you may do so at any time during the application process by completing an application form (LCLB092B) and paying the associated $330 fee. Any proposed grocery store will be subject to pre-screening.

After a licence is issued, a licensee may apply to transfer the licence to another person, or apply to relocate the licence to another eligible grocery store. To do so, you must complete the appropriate application form available on the LCLB website and pay the associated fee. Any proposed grocery store will be subject to pre-screening.

Additional Information

Documents

For additional information please see LCLB Policy Directive 16-02.

Auction information available at the BC Auction Site:
https://www.bcauction.ca/open.dll/welcome

Contacts

Liquor Control and Licensing Branch

For registration and licensing application queries:
Kayla Morris, Licensing Case Manager
Email: Kayla.Morris@gov.bc.ca Phone: 250 952-5749

For general policy queries:
Barry Bieller, Senior Policy Analyst
Email: Barry.Bieller@gov.bc.ca Phone: 250 952-5755

BC Auction

For auction policies and registering with BC Auction queries:
Greg Lamb, Assistant Director
Email: Greg.Lamb@gov.bc.ca Phone: 250 952-4678

Media Inquiries

Phone: 778 678-1572

Appendix B


N
Finlayson Arm
I.R. 13
District of Highlands
Thetis Lake Regional Park
Goldstream Provincial Park
Florence Lake
Town of View Royal
Mill Hill Regional Park
Juan de Fuca Electoral Area
Langford Lake
Glen Lake
City of Colwood
Mount Wells Regional Park
District of Metchosin
District of Metchosin
Legend
Existing Liquor Stores
Parcels
800m Buffer
0 800 1,600 Meters
1 2317 Millstream Rd (C6A)
2 2401 Millstream Rd (RS1, BP1A)
3 2792 Peatt Rd (C8)
4 737 Goldstream Ave (C8)
5 977 Langford Pkwy (CD2)
6 2945 Jacklin Rd (C3)
7 2668 Sooke Rd (C3)
8 2903 Sooke Lake Rd (C3)
March, 2016

CITY OF LANGFORD
BYLAW NO. 1685

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 the following to Section 1.01.01: "**Licensed Premises** means land, buildings or structures licensed pursuant to the *Liquor Control and Licensing Act*, but does not include a Liquor Store or a retail store where bottle or canned alcoholic beverages are sold in conjunction with another retail use.";

2. By adding the following as subsection 6.43.08(1): "a liquor store is not a permitted use if the property on which it is located is less than 800m (2625 ft) from another liquor store or retail wine store use;"

3. By adding the following as subsection 6.43A.03(5): "a liquor store is not a permitted use if the property on which it is located is less than 800m (2625 ft) from another liquor store or retail wine store use;"

4. By adding the following as subsection 6.56.03(6): "a liquor store is not a permitted use if the property on which it is located is less than 800m (2625 ft) from another liquor store or retail wine store use;"

5. By adding the following as subsection 6.64.09(1): "retail sales of wine" is not a permitted use if the property on which it is located is less than 800m (2625 ft) from another liquor store or retail wine store use;"

6. By adding the following as subsection 6.91.01(1)(t) and renumbering subsequent subsections accordingly: "liquor stores";

7. By adding the following as subsection 6.41.01(19) and renumbering subsequent sections accordingly: "liquor stores";

8. By adding the following as subsection 6.44.01(14) and renumbering subsequent sections accordingly: "liquor stores";

B. This Bylaw may be cited for all purposes as “Langford Zoning Bylaw, Amendment No. 480, (Omnibus No. 46 – Various Amendments to General Regulations), 2017".

READ A FIRST TIME this day of, 2017.

PUBLIC HEARING held this day of, 2017.

READ A SECOND TIME this day of, 2017.

READ A THIRD TIME this day of, 2017.

ADOPTED this day of, 2017.

MAYOR

(Certified Correct)
CORPORATE OFFICER

City of Langford
www.cityoflangford.ca

March 20th, 2017

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 matters and road improvements under Section 90 (1) (e) and (k) of the Community Charter.
b) That Council continues the meeting in closed session.

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