

CITY OF LANGFORD
MINUTES OF THE REGULAR MEETING OF COUNCIL
Tuesday, April 3rd, 2018 @ 5:30 p.m.
Council Chambers, 3rd Floor, 877 Goldstream Avenue

PRESENT

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

ATTENDING

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

1. CALL TO ORDER

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

2. APPROVAL OF THE AGENDA

MOVED BY: COUNCILLOR SAHLSTROM

SECONDED: COUNCILLOR SIFERT

That Council approve the agenda with the removal of 8a) Bylaw No. 1709 "Road Closure Bylaw No. 1709 (Salem Road), 2017" and renumber accordingly.

CARRIED.

3. PUBLIC HEARINGS

a) BYLAW NO. 1756

"Langford Zoning Bylaw, Amendment No. 520, (721 Station Avenue), 2018".

The Mayor opened the Public Hearing for Bylaw No. 1756 at 5:30 p.m.

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

The City Planner advised that Robin Waugh of Keycorp Consulting Ltd. has applied on behalf of Big Rock Investments Ltd. to amend the zoning of 721 Station Avenue from the CS1 (Servicing Commercial) to the

C8A (Community Town Centre Pedestrian A) Zone, and to amend the text of the C8A Zone. This is being proposed in order to allow for future redevelopment of the site.

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

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

1. A technical memorandum regarding stormwater management, prior to Public Hearing; and
2. A Section 219 Covenant, prior to Bylaw Adoption, with conditions regarding the provision of: a Traffic Impact Assessment (TIA); a stormwater management plan and any required improvements and upgrades; full frontage improvements; a construction parking management plan; and any required infrastructure or servicing upgrades.

The required technical memorandum regarding stormwater management has been submitted and approved by the Director of Engineering, with a proviso that onsite water quality treatment and a maintenance covenant are required, and that detailed design will be required prior to foundation or Building Permit issuance for any redevelopment of the site.

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

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

The Mayor called a first time for presentations.

None presented.

Mayor Young called a second time for presentations.

None presented.

The Mayor called a third and final time for presentation, there being none, the Mayor officially declared the Public Hearing for Bylaw No. 1756 closed at 5:32 p.m.

4. ADOPTION OF MINUTES

a) Minutes of the Meeting of Council – March 19th, 2018

MOVED BY: COUNCILLOR SEATON
SECONDED: COUNCILLOR SIFERT

That Council approve the minutes of the Regular Meeting of Council held on March 19th, 2018.

CARRIED.

5. PUBLIC PARTICIPATION

Mike Wignall, Selwyn Road:

- Comment on speculation tax
- Not going to have its desired effect and we will have additional negative fallout (including reduced equity and economic recession)
- Impact will be on jobs
- If real estate market collapses, so will jobs
- Asks that Mayor and Council seek exception from tax

Kyle Kirk, President of Victoria Real Estate Board:

- Minister of Finance wants to devalue homes
- Devaluing homes of speculators would devalue all homes
- Provincial Government is going down a dangerous path
- Commented the speed of Langford processes and how it helps
- Advocated that we need to increase supply, not go after demand
- Housing drives our economy
- Government is making changes based on 2016 data, not present data
- Call on BC government to exempt Langford

Westhills Land Corporation:

- 300 trades working at Westhills each day
- Concerned about impact of government interjection
- 30% of product out of town buyers, elsewhere in Canada – who want to move to BC
- These are not speculators but rather folks who want to live here one day in the West Shore
- 30% decrease in interest in show-home, lost 3 sales directly as a result of speculation tax
- Speculation tax will make housing tax work. Move product, not move tax.

David Clarke, Ecoasis:

- 75% in Langford owns home
- Poorly named tax, not applicable to Bear Mountain
- 20% of Bear Mountain purchasers are out of town
- Please have province exempt Langford

Blake Mackenzie, EMR Vacation Rentals and Resident:

- 100% opposed to tax
- Doesn't attack speculation but secondary home ownership
- Encourages drop in housing value, significant concern
- Government hasn't done any modelling, is a social experiment
- Provincial government is stepping on toes of local governments
- Ben Isitt is the only elected official in support
- Send letter to government saying Langford should be exempt

Jim Hartshorne, Keycorp:

- Never seen anything like this
- Tax will do nothing but hurt this in my opinion
- Banks may stop lending

- To increase affordability, you need more development, not less
- This will encourage less development and therefore the cost of housing will go up
- Risks a loss in the number of jobs
- Province needs to reconsider the speculation tax
- Let's find a solution, but not speculation tax

6. **COMMITTEE RESOLUTIONS**

a) **Planning, Zoning and Affordable Housing Committee – March 26th, 2018**

1. **Bylaw No. 1766- Application to Rezone 942 and 948 Jenkins Avenue from R2 (One- and Two-Family Residential) Zone to RM2A (Attached Housing) Zone to allow for the construction of 15 townhomes**

MOVED BY: COUNCILLOR BLACKWELL

SECONDED: COUNCILLOR WADE

That Council:

1. Give First Reading to Bylaw 1766 which will amend the text within the RM2A Zone to increase the allowable Lot Coverage from 40 % to 45% as well as amend the current zoning of 948 and 942 Jenkins Avenue from the R2 (Residential One and Two Family) Zone to the RM2A (Attached Housing) Zone subject to the following:
 - a) That the owner agrees to provide, **as a bonus for increased density**, the following contributions per unit prior to building permit issuance:
 - i. \$3,660 per unit towards the General Amenity Reserve Fund;
 - ii. \$610 per unit towards the Affordable Housing Reserve Fund;
 - b) That the applicant provides, **prior to Public Hearing**, the following:
 - i. A stormwater management assessment reviewed by the Director of Engineering;
 - c) That the applicant provides, **prior to Bylaw Adoption**, a Section 219 covenant, registered in priority of all other charges on title, that agrees to the following:
 - i. That the developer provide a construction parking management plan, to the satisfaction of the Director of Engineering, prior to issuance of a building permit;
 - ii. That the developer provide a stormwater management plan, to the satisfaction of the Director of Engineering and in accordance with the Subdivision and Servicing Bylaw (Bylaw No. 1000) prior to subdivision approval or building permit issuance, whichever is first;
 - iii. That the developer agrees to implement the approved storm water management plan and to complete any required improvements and/or upgrades to on site and off site infrastructure necessary to facilitate proper drainage on the subject property at the applicant's expense;

- iv. That the developer agrees to provide cash in lieu for the future construction of frontage improvements to the standards of Bylaw No. 1000 and to the satisfaction of the Director of Engineering, and that these improvements may include, but are not limited to, the installation of boulevard landscaping, sidewalks and light standards, prior to the issuance of a building permit;
 - v. That the developer agrees that any necessary above or underground infrastructure or servicing upgrades, extensions or other required to bring services to the subject properties are to be fulfilled at the developer's expense;
- d) That the Council authorize the Director of Planning to issue the following variances through a form and character Development Permit:
- i. To reduce the rear yard building setback from the required 10 m to 3 m;
 - ii. To reduce the front yard building setback from the required 7.5 m to 3 m; and
 - iii. To reduce the interior side yard building setback from the required 6 m to 1.6 m.

CARRIED.

7. REPORTS

a) Speculation Tax Exemption - Staff Report (Administration)

MOVED BY: COUNCILLOR SAHLSTROM
SECONDED: COUNCILLOR SZPAK

That Council:

1. Support the issuance of a letter to the Provincial Ministry of Finance requesting that the Speculation Tax not include the City of Langford;
AND
2. Ask the Mayor to write a letter on behalf of the City of Langford to the Minister of Finance and Premier expressing concerns over this tax and that this report and Motion be submitted with the letter;
AND
3. Ask the Mayor to write a letter on behalf of the City of Langford to the Capital Regional District (CRD) requesting that the entire CRD be excluded from the Speculation Tax and that the Province consider allowing individual municipalities within the CRD to opt-in or opt-out of the tax on a case-by-case basis.
AND

4. Direct staff to meet with the development community to better define what housing speculation means in Langford and provide recommendations to the Province.

CARRIED.

b) Discharge of Covenant for 1410 Grand Forest Close, 1431 Grand Forest Close and 2342 Lairds Gate
- **Staff Report (Planning)**

MOVED BY: COUNCILLOR BLACKWELL
SECONDED: COUNCILLOR WADE

That Council resolves that the City of Langford (the "Covenantee") will do everything necessary, at the Covenantor's expense, to sign a Form C Discharge to release the Section 219 Covenant registered as CA5498501 and CA5498502 on the properties legally described as Lot 1, Sections 1 and 2, Range 4 West, Highland District, Plan VIP83411 Except Parts in Plans EPP40953 and EPP53263 (1410 Grand Forest Close, 1431 Grand Forest Close and 2342 Lairds Gate) following the Adoption of Bylaw No. 1717.

CARRIED.

c) Strata Title Conversion of Previously Occupied Building at 3004 Glennan Road
- **Staff Report (Land Development)**

MOVED BY: COUNCILLOR BLACKWELL
SECONDED: COUNCILLOR WADE

That Council:

1. Endorse the proposed strata titling 3004 Glennan Road, legally known as PID 003-285-782 Lot 1, Section 81, Esquimalt District, VIP22554.

AND

2. Direct Staff to ensure the previously occupied building substantially complies with the current building code and Langford Bylaws prior to approving the strata plan.

CARRIED.

d) Funding Request Update
- **Staff Report (Finance)**

MOVED BY: COUNCILLOR SAHLSTROM
SECONDED: COUNCILLOR SZPAK

That Council:

1. That Council fund the Neighbourhood Free Fresh Food Market in an amount of \$1,250 and include in the 2018 Financial Plan;

CARRIED.

e) 2018 - 2022 Five-Year Financial Plan Approval

- **Staff Report – Exhibit “A” to be distributed separately (Finance)**

MOVED BY: COUNCILLOR SAHLSTROM

SECONDED: COUNCILLOR SZPAK

That Council approve the 2018 – 2022 Five Year Financial Plan and direct staff to bring forward the Five Year Financial Plan Bylaw, 2018 and the 2018 Tax Rate Bylaw.

CARRIED.

8. BYLAWS

Mayor Young left the meeting a 6:16 pm.

a) BYLAW NO. 1737 AND BYLAW NO. 1742

“Langford Official Community Plan Bylaw, Amendment No. 26, (2869 Sooke Rd –Road Closure Portion), 2018”.

“Langford Zoning Bylaw, Amendment No. 509, (2869 Sooke Rd Portion), 2018”.

(ADOPTION)

MOVED BY: COUNCILLOR WADE

SECONDED: COUNCILLOR SZPAK

That Council adopt Bylaw No. 1737.

CARRIED.

MOVED BY: COUNCILLOR WADE

SECONDED: COUNCILLOR SZPAK

That Council adopt Bylaw No. 1742.

CARRIED.

b) BYLAW NO. 1756

“Langford Zoning Bylaw, Amendment No. 520, (721 Station Avenue), 2018”.

(SECOND AND THIRD READINGS)

MOVED BY: COUNCILLOR SEATON

SECONDED: COUNCILLOR WADE

That Council give Bylaw No. 1756 Second and Third Readings.

CARRIED.

c) BYLAW NO. 1764
"Road Closure Bylaw No. 1764, 2018"
(ADOPTION)

MOVED BY: COUNCILLOR SAHLSTROM
SECONDED: COUNCILLOR WADE

That Council adopt Bylaw No. 1764.

CARRIED.

d) BYLAW NO. 1766
"Langford Zoning Bylaw, Amendment No. 526, (942 & 948 Jenkins Ave), 2018".
(FIRST READING)

MOVED BY: COUNCILLOR WADE
SECONDED: COUNCILLOR SIFERT

That Council give Bylaw No. 1766 First Reading.

CARRIED.

e) BYLAW NO. 1767
"Langford Zoning Bylaw, Amendment No. 527, (2668, 2674, 2682, 2684, 2686, 2696 2702
& 2706 Sooke Rd), 2018".
(RESCIND FIRST READING)
(GIVE NEW FIRST READING)

MOVED BY: COUNCILLOR SZPAK
SECONDED: COUNCILLOR SAHLSTROM

That Council rescind first reading of Bylaw No. 1767.

CARRIED.

MOVED BY: COUNCILLOR SZPAK
SECONDED: COUNCILLOR WADE

That Council give give 1st reading to the attached Bylaw No. 1767 to amend the zoning designation of the properties located at **2668, 2674**, 2682, 2684, 2686, 2696, 2702, and 2706 Sooke Road from District Commercial (C3) and Service Commercial (CS1) to a new Community Town Centre Pedestrian 9 (C9) zone subject to the following terms and conditions:

- a) That the applicant provides, **as a bonus for increased density**, the following contributions per residential unit, prior to issuance of a building permit:
 - i. \$610 towards the Affordable Housing Fund, **and**
 - ii. \$2,074 towards the General Amenity Reserve Fund, for which Council may use a portion of these contributions towards the construction of the realignment of Glen Lake Road and DCC works on Sooke Road.

- b) That the applicant provides, **prior to public hearing**, the following:
 - i. A technical memo from an engineer that verifies storm water can be adequately managed for the proposed developments, to the satisfaction of the Director of Engineering.

- c) That the applicant provides, **prior to Bylaw Adoption**, a Section 219 covenant, registered in priority of all other charges on title, that agrees to the following:
 - i. That the owner will not apply for, nor is the City obligated to issue a Development Permit or Building Permit until road dedication is provided to the satisfaction of the Director of Engineering and Approving Officer.
 - ii. That at any time after the 5th anniversary date of adoption of the bylaw to rezone the subject lands, the City may request, and the owner shall provide, the area of land necessary for the construction of the road extension from Happy Valley Road to Glen Lake Road as well as Sooke Road for \$1.00.
 - iii. That the owner will limit direct vehicular access to Sooke Road, and will not apply for, nor will the City be obligated to grant driveway access on to Sooke Road, except in accordance with a comprehensive plan of development for the properties as a whole.
 - iv. That a Traffic Impact Assessment (TIA) be completed to the satisfaction of the Director of Engineering for the full build-out of any block that commercial and/or residential uses are proposed, prior to the issuance of building permit, and that the recommendations of the TIA be implemented prior to Occupancy of any buildings;
 - v. That all frontage improvements to Bylaw 1000 standards are provided to the satisfaction of the Director of Engineering and Manager of Parks prior to issuance of a building permit; and
 - vi. That a detailed storm water management plan be provided prior to issuance of a building permit and implemented, as per Bylaw 1000, all to the satisfaction of the Director of Engineering.

- 1. Direct the City Planner to permit onsite parking, through the Development Permit for Form and Character, to be at a ratio of 1.0 stall per 1 or 2 bedroom units, with any additional 0.25 for visitor parking.

- 2. Direct the City Planner to permit onsite parking and loading facilities, through the Development Permit for Form and Character, to be located in the front or side yards for buildings located immediately next to the Galloping Goose.

CARRIED.

Mayor Young returned to the meeting a 6:18 pm.

- f) **BYLAW NO. 1769**
"City of Langford Development Cost Charge Bylaw No. 1700, Amendment No. 1, 2018".
(FIRST, SECOND AND THIRD READINGS)

MOVED BY: COUNCILLOR SEATON
SECONDED: COUNCILLOR WADE

That Council give Bylaw No. 1769 First, Second and Third Readings.

CARRIED.

- g) **BYLAW NO. 1772**
"Revenue Anticipation Borrowing Bylaw No. 1772, 2018".
(FIRST, SECOND AND THIRD READINGS)

MOVED BY: COUNCILLOR SEATON
SECONDED: COUNCILLOR WADE

That Council give Bylaw No. 1772 First, Second and Third Readings.

CARRIED.

9. **IN CAMERA RESOLUTION**

MOVED BY: COUNCILLOR BLACKWELL
SECONDED: COUNCILLOR SIFERT

- 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 the potential acquisition of land, litigation and the proposed provision of a municipal service under Section 90 (1) (e) (g) and (k) of the Community Charter.
- b) That Council continues the meeting in closed session.

CARRIED.

10. **ADJOURNMENT**

The Chair adjourned the meeting at 6:18 pm.



PRESIDING COUNCIL MEMBER:



CERTIFIED CORRECT
Corporate Officer