CITY OF LANGFORD

MINUTES OF THE REGULAR MEETING OF COUNCIL

Monday, August 20th, 2018 @ 5:30 p.m.

Council Chambers, 3rd Floor, 877 Goldstream Avenue

PRESENT

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

ATTENDING

Chief Administrative Officer, D. Kiedyk, Director of Finance, M. Dillabaugh, Deputy Director of Engineering, G. Henshall and Director of Planning, M. Baldwin

ABSENT

Councillor R. Wade

1. CALL TO ORDER

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

2. APPROVAL OF THE AGENDA

MOVED BY: COUNCILLOR SIFERT
SECONDED: COUNCILLOR BLACKWELL

That Council approve the agenda as presented.

CARRIED.

3. PUBLIC HEARINGS

a) BYLAW NO. 1775
"Langford Zoning Bylaw, Amendment No. 533, (3342 Turnstone Dr), 2018".

The Mayor opened the Public Hearing for Bylaw No. 1775 at 5:31 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 Pat Guiney has applied on behalf of 1157393 BC Ltd. to amend the text of the CD10 (Comprehensive Development 10 – Boulder Ridge) Zone to reduce the open space / non-disturbance area in order to construct dwelling units with larger backyards.

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

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

i. $20,000 towards the General Amenity Fund in exchange for a reduction of the non-disturbance area; and

ii. A section 219 covenant, registered in priority of all other charge on title, on the land being removed from the non-disturbance area, which prohibits a principle building from being constructed beyond 1.0m west of the existing non-disturbance boundary.

This proposal is consistent with the Official Community Plan Neighbourhood designation.

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

The Mayor called a first time for presentation

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. 1775 closed at 5:32 p.m.

b) BYLAW NO. 1792
"Langford Zoning Bylaw, Amendment No. 539, (2512 Duncan Pl), 2018".

The Mayor opened the Public Hearing for Bylaw No. 1792 at 5:32 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 Marty Block has applied on behalf of Jane Parkinson to rezone 2512 Duncan Place from R2 (One- and Two-Family Residential) Zone to RS3 (Residential Small Lot 3) Zone.

This is being proposed in order to allow for the development of approximately nine one-family small lots.

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

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

a) The applicant agrees to provide, as a bonus for increased density, the following contributions per one-family lot created, prior to subdivision approval:
   i. $3,960 towards the General Amenity Reserve Fund; and
   ii. $660 towards the Affordable Housing Reserve Fund.

b) The applicant agrees to provide, prior to Public Hearing:
   i. A technical memo from a qualified engineer that verifies storm water can be adequately managed onsite, to the satisfaction of the Director of Engineering.

c) The applicant agrees to provide, 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 minimum 8.0m wide road dedication be provided for the proposed road.
   ii. That all frontage improvements to Bylaw 1000 standards are provided to the satisfaction of the Director of Engineering;
   iii. That a storm water management plan be provided and implemented, to the satisfaction of the Director of Engineering;
   iv. That the applicant install a 1.8m high privacy fence along the rear property lines of the proposed new lots and a 1.2m high solid fence along the east side of the proposed road and west of the five parking spaces;
   v. That the applicant install a minimum of three trees along with landscaping with irrigation in the area surrounding the five parking spaces.
   vi. That the applicant provide a construction management plan to the satisfaction of the Director of Engineering.

This proposal is consistent with the Official Community Plan Neighbourhood 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. 1792 closed at 5:35p.m.

c) BYLAW NO. 1793
"Langford Zoning Bylaw, Amendment No. 540, (1062 Goldstream Ave), 2018".

The Mayor opened the Public Hearing for Bylaw No. 1793 at 5:35 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 Ironclad Developments Incorporated has applied on behalf of Ryan Van Damme to rezone 1062 Goldstream Avenue from CS1 (Service Commercial) and RR4 (Rural Residential 4) to MU1A (Mixed Use Residential Commercial A) Zone.

This is being proposed in order to allow for the future development of approximately a 102-unit apartment building.

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

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

a) The applicant agrees to provide, as a bonus for increased density, the following contributions per unit, prior to issuance of a building permit:
    i. $2,850 towards the General Amenity Reserve Fund, with a 50% reduction for the units on the 5th and 6th storey, and a 75% reduction for the units on the 7th storey;
    ii. $750 towards the Affordable Housing Reserve Fund;

b) The applicant agrees to provide, as a bonus for increased density, the following contributions per required parking stall that is not provided, prior to issuance of a building permit:
    i. $7,500 towards the General Amenity Fund for Transportation Demand Management.

c) The applicant agrees to provide, prior to Public Hearing, the following:
    i. A technical memo from a qualified engineer that verifies storm water can be adequately managed onsite, to the satisfaction of the Director of Engineering.

d) The applicant agrees to provide, prior to Bylaw adoption, the following:
    i. Road dedication along the frontage to the satisfaction of the Director of Engineering.

e) The applicant agrees to provide, prior to Bylaw Adoption, a Section 219 covenant, registered in priority of all other charges on title, that agrees to the following:
    i. That all frontage improvements to Bylaw 1000 standards are provided to the satisfaction of the Director of Engineering, which includes an operational 3-lane cross-section;

ii. That all boulevard improvements to Bylaw 1000 standards are provided to the satisfaction of the Manager of Parks;
iii. That a detailed storm water management plan be provided prior to issuance of a building permit, to the satisfaction of the Director of Engineering, and its operation and maintenance plan be registered on title;
iv. That a construction parking management plan be provided to the satisfaction of the Director of Engineering prior to the issuance of a Building Permit.
v. That the required parking stalls for this development are allocated for the use by individuals in each unit, as required by Bylaw 300, and that parking stalls are not rented out individually.

In accordance with the proposal, Council:

2. Direct staff to prepare a bylaw to increase the allowable Floor Area Ratio in the MU1A Zone to a maximum of 4.0 and increase the maximum height in the MU1A Zone to a maximum of 7 storeys.

Council also:

3. Authorizes the Director of Planning to issue the following variances in the Form and Character Development Permit:
   i. Reduce the front yard setback from 2.0m (6.5 ft) to 0.4m (1.3 ft) for the garbage and recycling enclosure;
   ii. Reduce the rear yard setback from 7.5m (25 ft) to 5.0m (16.5 ft) for the parkade levels and to 1.2m (4.0 ft) for the 2nd to 7th storeys;
   iii. Reduce the number of off-street parking by a maximum of 8 stalls.

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.

Resident at 2814 Rodney Rd raised concerns about the height of the building changing, proposed that an increase in traffic equals a need for a traffic study, concerned in regards to greenspace on the property.

George Henshall, Deputy Director of Engineering, addressed the traffic concerns and explained that this project is required to widen Goldstream from 2 lanes to 3 lanes.

Resident on Goldstream raised concerns with traffic increasing around the Chinese Consulate house.

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. 1793 closed at 5:46 p.m.

4. ADOPTION OF MINUTES

a) Minutes of the Regular Meeting of Council – July 16th, 2018

MOVED BY: COUNCILLOR SEATON
SECONDED: COUNCILLOR SIFERT

That Council approve the minutes of the Regular Meeting of Council held on July 16th, 2018.

CARRIED.

b) Minutes of the Special Meeting of Council – July 30th, 2018

MOVED BY: COUNCILLOR SEATON
SECONDED: COUNCILLOR SIFERT

That Council approve the minutes of the Special Meeting of Council held on July 30th, 2018.

CARRIED.

c) Minutes of the Special Meeting of Council – July 31st, 2018

MOVED BY: COUNCILLOR SIFERT
SECONDED: COUNCILLOR SEATON

That Council approve the minutes of the Special Meeting of Council held on July 31st, 2018.

CARRIED.

5. PRESENTATION

None.

6. OTHER BOARD AND COMMISSION MINUTES

a) West Shore Parks and Recreation – May 10th, 2018

MOVED BY: COUNCILLOR SEATON
SECONDED: COUNCILLOR SIFERT

That Council receive the minutes of the West Shore Parks and Recreation Meeting held on May 10th, 2018

CARRIED.

7. DEVELOPMENT VARIANCE PERMIT

a) DVP18-0007 – 3063 Glen Lake Rd

MOVED BY: COUNCILLOR BLACKWELL
SECONDED: COUNCILLOR SEATON

That Development Variance Permit No. DVP18-0007 be issued by the Council for the City of Langford to Elkay Developments on behalf of Kenneth G. Nottingham to modify the rear yard setback of a primary residence on a single lot (proposed Lot 4) from the required 6 m to 5.76 m, and to reduce the required lot width regulation (proposed Lot 9) from the required 18 m to 16 m, to facilitate a nine-lot subdivision at the property located at 3063 Glen Lake Road subject to the following terms and conditions:

1. **Appendix**

   The site shall be developed in accordance with the site plan attached (Appendix A) to the Planning, Zoning and Affordable Housing report dated 9 July 2018.

2. **Variances**

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

   a) That Section 6.20.06(2)(a) of Zoning Bylaw No. 300 be varied from the required 6 m to 5.76 m;
   b) That Section 6.20.02(3) of Zoning Bylaw No. 300 be varied from the required 18 m to 16 m.

CARRIED.

b) DVP18-0013 – 1900 Bear Mountain Pkwy (2203 – 2235 Riviera Pl)

MOVED BY: COUNCILLOR BLACKWELL
SECONDED: COUNCILLOR SZPAK

That Development Variance Permit No. DVP18-0013 be issued by the Council for the City of Langford to Kevin Parker of Draycor Developments to allow a reduction in the interior side yard setback from the required 2.4 m to 1.5 m at 1900 Bear Mountain Parkway subject to the following terms and conditions:

1. **Appendix**

   The site shall be developed in accordance with the site plan attached (Appendix A) to the Council report dated 31 July 2018.

2. **Variances**

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

a) That Section That Section 6.95A.07(1)(c) of Zoning Bylaw No. 300 be varied to reduce the interior side yard setback from the required 2.4 m to 1.5 m.

CARRIED.

c) TUP18-0002 – 1016 McCallum Rd

MOVED BY: COUNCILLOR BLACKWELL
SECONDED: COUNCILLOR SZPAK

That Temporary Use Permit No. TUP18-0002 be issued by the Council for the City of Langford to Duncan Magee of 644297 BC Ltd. on behalf of LaserCam Fabrication Inc. to allow a laser sheet metal cutting and fabrication operation in Unit #112 at 1016 McCallum Road for a period of three years subject to the following terms and conditions:

1. Conditions

The following regulations are imposed under Section 493 of the *Local Government Act*:

a) That there be no outdoor storage of materials or equipment;
b) That all manufacturing activities be conducted within the building, and that noise, dust, odours and all other potential nuisances be limited so as to not be discernible beyond the limits of the unit; and
c) That all required improvements be completed to the satisfaction of the Fire Chief and according to the requirements of the Building Code prior to Business License issuance and any continued operation of the business; and
d) That the Temporary Use Permit be issued only to LaserCam Fabrication Inc. and not be transferred to any subsequent businesses or business owners should LaserCam Fabrication Inc. cease to operate.

CARRIED.

d) TUP18-0003– 1060 Henry Eng

MOVED BY: COUNCILLOR BLACKWELL
SECONDED: COUNCILLOR SIFERT

That Temporary Use Permit No. TUP18-0003 be issued by the Council for the City of Langford to Jackie Weibe on behalf of Lion's Pride Gymnastics Academy to operate a Pre-School of approximately 22 children as a part of the existing gymnastics facility located at 1060 Henry Eng Place subject to the following terms and conditions:

1. Conditions

The following regulations of Zoning Bylaw No. 300 are varied under Section 493 of the *Local Government Act*:

a) Proceed with the consideration of this Temporary Use Permit for a preschool for 22 children on the property at 1060 Henry Eng Place for a period of three (3) years.

CARRIED.

8. PUBLIC PARTICIPATION

None.

9. REPORTS

a) Amendment to Soil Removal and Deposit Bylaw No. 1800, Bylaw No.1801
- **Staff Report (Engineering)**

MOVED BY: COUNCILLOR SIFERT
SECONDED: COUNCILLOR SZPAK

That Council give first three readings to Soil Removal and Deposit Bylaw, Amendment No. 1, Bylaw 1801, 2018.

CARRIED.

b) Funding Opportunities Bear Mountain Ultimate Construction
- **Staff Report (Engineering)**

MOVED BY: COUNCILLOR SZPAK
SECONDED: COUNCILLOR SIFERT

That Council direct staff to pursue infrastructure grant opportunities to complete the ultimate Bear Mountain Road configuration and bring those opportunities to Council for consideration;

CARRIED.

c) Renewal of Access Agreement with Janette Roch for Shoreview
- **Staff Report (Parks)**

MOVED BY: COUNCILLOR BLACKWELL
SECONDED: COUNCILLOR SIFERT

That Council renew the agreement for a period of five years with the registered owner of 3037 Shoreview Drive and collect a fee of $200/year.

CARRIED.

d) Mutual Aid Contract Renewal with City of Colwood
- **Staff Report (Fire)**

MOVED BY: COUNCILLOR SZPAK
SECONDED: COUNCILLOR SEATON

That Council:

1. Direct staff to renew the mutual aid agreement for fire rescue services between the Cities of Langford and Colwood for a period of five years; AND

2. Direct staff to write a letter to both the Federal and Provincial government, to request that; in view of the devastation caused by wildfires last year and this year, more resources and a more proactive method of fighting fires be deployed within the Province of British Columbia to help lessen the negative affect the fires have on residents' health, recreation, tourism, wildlife and the economy in general.

CARRIED.

e) Encroachment Agreement – Retaining Wall at 668/664 Redington Ave
- **Staff Report (Engineering)**

MOVED BY: COUNCILLOR SIFERT
SECONDED: COUNCILLOR SZPAK

That Council direct staff to enter into an Encroachment Agreement by way of an easement with Redington Property Group for the retaining wall that extends into Redington Avenue Right-of-Way, which easement may be cancelled by the City in the event that a new owner of the land does not agree to be bound by the maintenance, insurance and indemnity provisions in the easement and not take any financial bond related to this encroachment.

CARRIED.

f) Encroachment Agreement – Private Sidewalk at 694 Hoylake Ave
- **Staff Report (Engineering)**

MOVED BY: COUNCILLOR SIFERT
SECONDED: COUNCILLOR SAHLSTROM

That Council direct staff to enter into an Encroachment Agreement by way of an easement with Coastal Signature Homes transferred to the strata for the construction of a private sidewalk and stairs that will extend into Hoylake Avenue right of way, which easement may be cancelled by the City in the event that a new owner of the land does not agree to be bound by the maintenance, insurance and indemnity provisions in the easement and not take any financial bond related to this encroachment.

CARRIED.

g) Application to vary Bylaw No. 1000 to allow development without connection to Municipal Sanitary Sewer and CRD Water and to install Overhead Power and Telecommunications for the Center Mountain Industrial Park located at 2961, 2965, 3005, 3021 Sooke Road and 3261 Woodruff Road
- **Staff Report (Land Development)**

MOVED BY: COUNCILLOR BLACKWELL
SECONDED: COUNCILLOR SZPAK

That Council direct Staff to proceed with consideration of Development Variance Permit No. DVP17-0012 for the subject properties:

a) That Section 6.1.1 and 6.1.2 of Subdivision and Development Servicing Bylaw No. 1000 be varied to allow subdivision without connecting to the municipal sanitary sewer system, subject to the following conditions:

That a covenant containing the following be registered on the title of the subject properties, to the satisfaction of the Director of Engineering:

i. That the applicant design the on-site sewage disposal system to the approval of Island Health and to the satisfaction of the Chief Building Inspection prior to building permit.

AND

b) That Section 8.1 of Subdivision and Development Servicing Bylaw No. 1000 be varied to allow subdivision without water supply provided by the City or CRD Water Service, subject to the following conditions:

That a covenant containing the following be registered on the title of the subject property, to the satisfaction of the Director of Engineering:

i. That all buildings are to be connected to the City's, CRD Water, or an authorized third party distributer such as Sustainable Services Limited (SSL) water system within six (6)

months of such service being extended along the frontage of the subject properties to the satisfaction of the Director of Engineering;

ii. That the owner agrees to support any future petition to extend a public Water Service system to the subject properties;

iii. That installation of any on-site plumbing necessary to allow a Public Water Service system to be connected to each building in accordance with the BC Building Code and/or Subdivision and Servicing Bylaw No. 1000, is completed as part of the works and services installed on the subject properties;

iv. That the owner prove that a well water supply for potable water is available and the proposed development meets the requirements of the City's Subdivision and Development Servicing Bylaw No. 1000 in respect of domestic water supply, to the satisfaction of the Director of Engineering prior to subdivision approval;

v. That the owner demonstrate that the water wells to be used on site will not adversely affect the water supply available to the wells on surrounding properties prior to each subdivision of lands to the satisfaction of the Approving Officer;

vi. That each new building install a fire sprinkler system in accordance with the applicable NFPA standard, that Langford Building Bylaw 1160 and the current BC Building Code to the satisfaction of the Chief Building Inspector;

vii. That a fire protection strategy be approved prior to each subdivision of the land to the satisfaction of Fire Chief and Director of Engineering and be installed prior to the issuance of any Buildings Permits, including backup generators for any necessary pump systems;

viii. That prior to the issuance of each building permit the applicant provide a Fire Underwriters Survey or an approved alternative demonstrating the required fire flows are available to the satisfaction of the Langford Fire Chief.

ix. That the variance for water requirements, Section 8.1, is permitted to create up to 10 New Lots not including the 7 existing lots and is valid for a maximum of 10 years from the date of issuance. No further subdivision approvals or building permits will be issued after this date unless an adequate City or CRD Water service is available.

AND

c) That Section 9.2 of Subdivision and Development Servicing Bylaw No. 1000 be varied to allow subdivision without installing underground electrical and telecommunication

CARRIED.

h) Grant Application – Irwin Dam Improvements

- **Staff Report (Engineering)**

MOVED BY: COUNCILLOR BLACKWELL
SECONDED: COUNCILLOR SAHLSTROM

That Council direct staff to apply to the National Disaster Mitigation Program for the Irwin Dam Improvements.

CARRIED.

10. BYLAWS

a) BYLAW NO. 1697
"Langford Official Community Plan Bylaw, Amendment No. 23, (866 Latoria Rd), 2017".
(ADOPTION)

MOVED BY: COUNCILLOR BLACKWELL
SECONDED: COUNCILLOR SEATON

That Council adopt Bylaw No. 1697.

CARRIED.

b) BYLAW NO. 1698
"Langford Zoning Bylaw, Amendment No. 487, (866 Latoria Rd), 2017".
(ADOPTION)

MOVED BY: COUNCILLOR BLACKWELL
SECONDED: COUNCILLOR SEATON

That Council adopt Bylaw No. 1698.

CARRIED.

c) BYLAW NO. 1775
"Langford Zoning Bylaw, Amendment No. 533, (3342 Turnstone Dr), 2018".
(SECOND AND THIRD READINGS)

MOVED BY: COUNCILLOR BLACKWELL
SECONDED: COUNCILLOR SIFERT

That Council give Bylaw No. 1775 Second and Third Readings.

CARRIED.

d) BYLAW NO. 1792
"Langford Zoning Bylaw, Amendment No. 539, (2512 Duncan Pl), 2018".
(SECOND AND THIRD READINGS)

MOVED BY: COUNCILLOR BLACKWELL
SECONDED: COUNCILLOR SIFERT

That Council give Bylaw No. 1792 Second and Third Readings.

CARRIED.

e) BYLAW NO. 1793
"Langford Zoning Bylaw, Amendment No. 540, (1062 Goldstream Ave), 2018".
(SECOND AND THIRD READINGS)

MOVED BY: COUNCILLOR BLACKWELL
SECONDED: COUNCILLOR SIFERT

That Council give Bylaw No. 1793 Second and Third Readings.

CARRIED.

f) BYLAW NO. 1801
"Soil Removal and Deposit Bylaw, Amendment No. 1, Bylaw 1801, 2018".
(FIRST, SECOND AND THIRD READINGS)

MOVED BY: COUNCILLOR SZPAK
SECONDED: COUNCILLOR SEATON

That Council give Bylaw No. 1801 First, Second and Third Readings.

CARRIED.

11. 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 land matters and the proposed provision of a municipal service under Section 90 (1) (e) and (k) of the Community Charter.

b) That Council continues the meeting in closed session.

CARRIED.

12. ADJOURNMENT

The Chair adjourned the meeting at 5:59 pm

PRESIDING COUNCIL MEMBER:

CERTIFIED CORRECT
Corporate Officer