

CITY OF LANGFORD
SPECIAL MEETING OF COUNCIL
Wednesday, September 26th, 2018 @ 8:00 a.m.
Council Chambers, 3rd Floor, 877 Goldstream Avenue

AGENDA

	Page
1. <u>CALL TO ORDER</u>	
2. <u>APPROVAL OF THE AGENDA</u>	
3. <u>PUBLIC PARTICIPATION</u>	
4. <u>REPORTS</u>	
a) Bylaw No. 1811 - Application to Amend the Text of the Agricultural 1 (AG1) Zone to Allow a Future Subdivision at 2961 and 2965 Sooke Road - Staff Report (Planning)	2
5. <u>CORRESPONDENCE</u>	
a) Royal Canadian Legion Prince Edward Island Branch #091 <u>RE: Donation of Tents for the 2018 Remembrance Day Ceremony</u>	7
6. <u>BYLAWS</u>	
a) BYLAW NO. 1807 "Road Closure Bylaw No. 1807 (Spencer Road), 2018". (ADOPTION)	8
b) BYLAW NO. 1811 "Langford Zoning Bylaw, Amendment No. 551, (2961 and 2965 Sooke Rd), 2018". (FIRST READING)	13
c) BYLAW NO. 1812 "Langford Municipal Park Regulation Bylaw Amendment No. 9, Bylaw No. 1812, 2018". (ADOPTION)	15
7. <u>IN CAMERA RESOLUTION</u>	19
8. <u>ADJOURNMENT</u>	



Staff Report to Council

Date: September 25, 2018

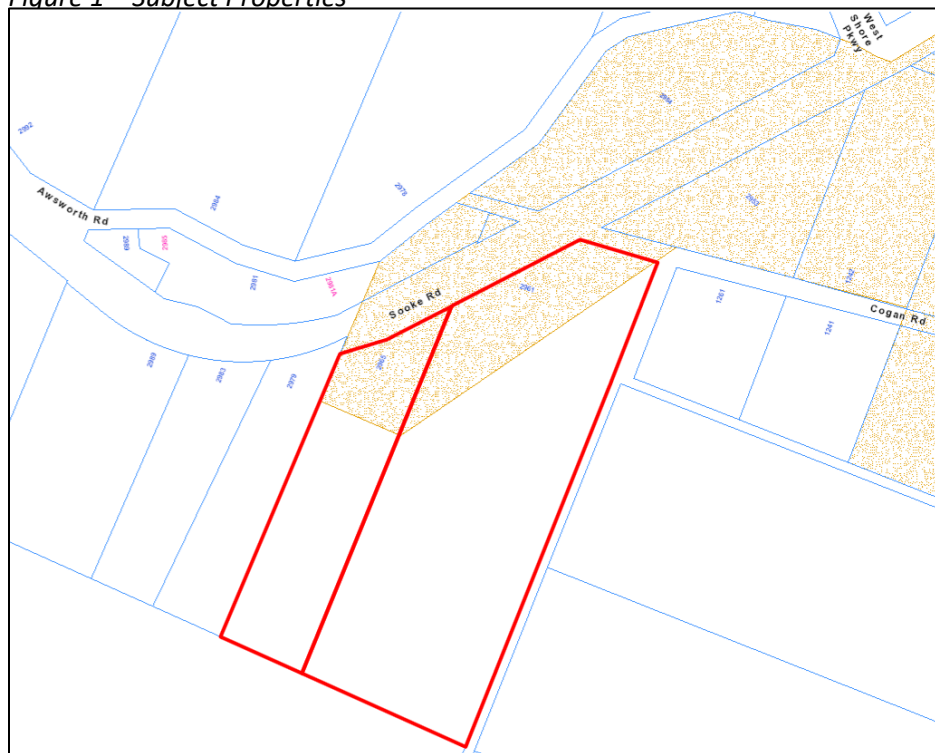
Department: Planning

Subject: Bylaw No. 1811 - Application to Amend the Text of the Agricultural 1 (AG1) Zone to Allow a Future Subdivision at 2961 and 2965 Sooke Road

BACKGROUND

At their Regular Meeting of May 15th, 2017 Council adopted Bylaw No. 1675, which rezoned the southern portion of 2961 and 2965 Sooke Road to Business Park 8 (BP8). The northern portion of these properties remained as Agricultural 1 (AG1) as they are located within the Agricultural Land Reserve (ALR), as highlighted in Figure 1 below.

Figure 1 – Subject Properties



COMMENTS

The original applicant that rezoned the lands has requested the AG1 Zone be amended for these two properties so the ALR portion could be subdivided from the larger BP8 portion. Currently, these two properties have split zoning, with AG1 over the ALR portion and BP8 over the rest. Since the AG1 zone requires a minimum lot size of 4.0 hectares (10 acres), the proposed subdivision would not be permitted under the current zone.

As this proposal would be a text amendment that would not change the density or use of the lands, and would be consistent with the official community plan, Council may wish to waive holding a public hearing.

OPTIONS

That Council:

1. Waive the holding of a public hearing concerning Bylaw No. 1811;

AND

2. Give 1st reading to the attached Bylaw No. 1811 to amend the text of the Agricultural 1 (AG1) Zone for the properties located at 2961 and 2965 Sooke Road.
-

OR

3. Take no action at this time with respect to Bylaw No. 1811.

Respectfully Submitted,

Submitted by:	Robert Dykstra, MCIP, RPP Land Development Planner
Concurrence:	Matthew Baldwin, MCIP, RPP Director of Planning
Concurrence:	Michelle Mahovich, P.Eng, P.Geo, Director of Engineering
Concurrence:	Audrey Kryklywyj, Deputy Director of Finance
Concurrence:	Braden Hutchins, Director of Corporate Services
Concurrence:	Darren Kiedyk, Chief Administrative Officer

:rd

**CITY OF LANGFORD
BYLAW NO. 1811**

**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 as Section 6.01.02(4): "Notwithstanding subsection 6.01.02(1), a lot having an area not less than 3,000m² (2.0 acres) may be created from land legally described as: LOT 5, SECTIONS 98, 99 AND 100, METCHOSIN DISTRICT, PLAN 20923 EXCEPT PART IN PLAN VIP52592; AND LOT 5, BLOCK 3, SECTIONS 89, 97, 98, 99, 100, 100A, 101 AND 101A, METCHOSIN DISTRICT, PLAN 1817 EXCEPT PART IN PLAN VIP52253."

B. This Bylaw may be cited for all purposes as "Langford Zoning Bylaw, Amendment No. 551, (2961 and 2965 Sooke Rd), 2018".

READ A FIRST TIME this day of, 2018.

PUBLIC HEARING held this day of, 2018.

READ A SECOND TIME this day of, 2018.

READ A THIRD TIME this day of, 2018.

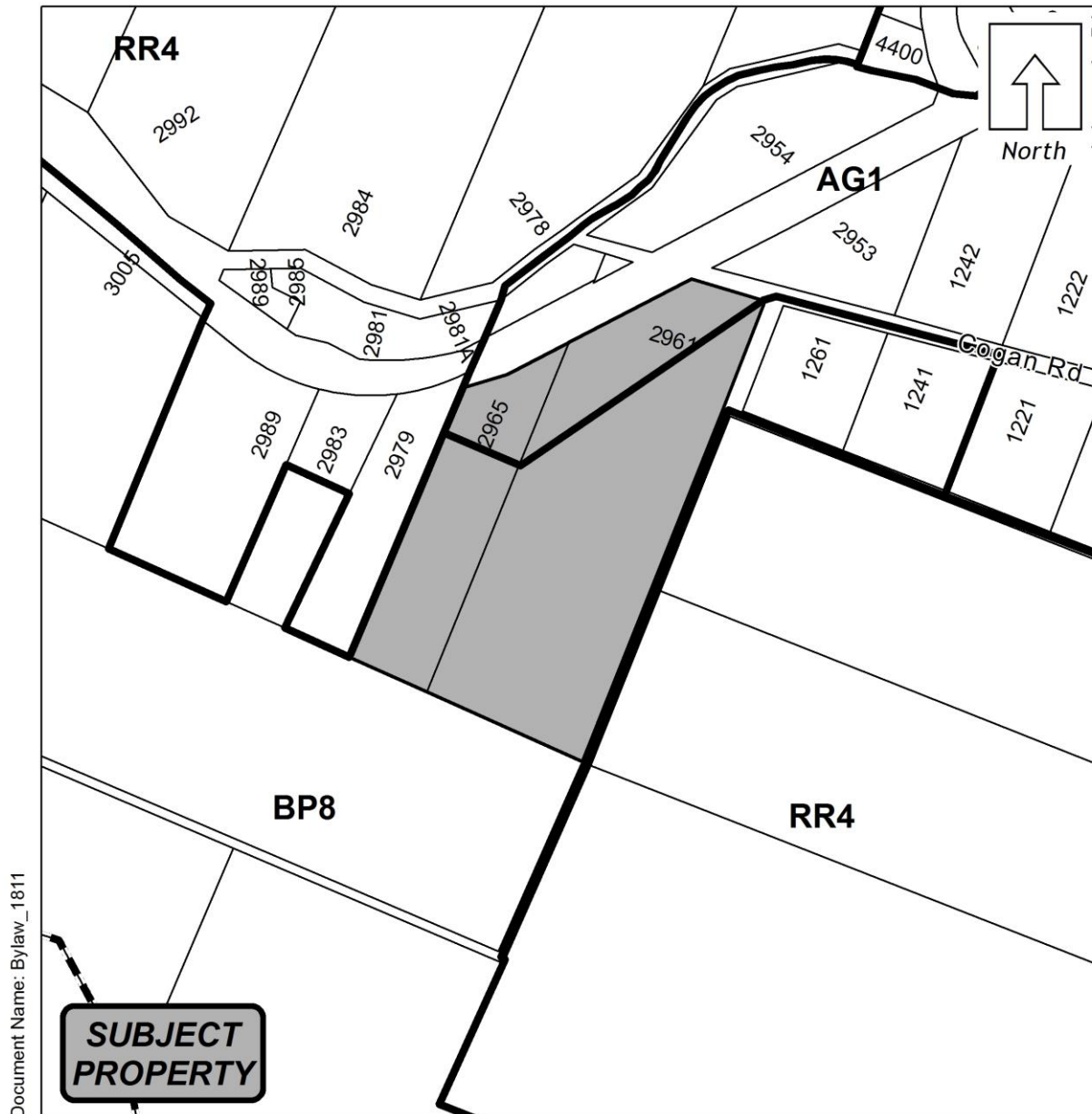
APPROVED BY THE MINISTRY OF TRANSPORTATION THIS day of , 2018.

ADOPTED this of, 2018.

MAYOR

(Certified Correct)
CORPORATE OFFICER

Schedule A



I HEREBY CERTIFY THIS TO BE A TRUE COPY
OF PLAN No. 1 AS DESCRIBED
IN SECTION A1 OF BYLAW No. 1811
ADOPTION:

MAYOR

CORPORATE OFFICER

Scale: N.T.S.

Last Revised: 9/20/2018



**Royal Canadian Legion
Prince Edward Branch #091**
761 Station Avenue
Victoria, BC V9B 2S1
Tel: 250 478-1828
Fax: 250 478-1870
e-mail: secretary@rcl91.ca
website: www.rcl91.ca

A Non-Profit Organization

September 25, 2018

Mayor Stewart Young
and Council Members
City of Langford
2nd Floor, 877 Goldstream Avenue
Victoria BC V9B 5P6

Dear Mayor Young and Council Members:

Re: 2018 Remembrance Day Ceremony

On behalf of the Royal Canadian Legion, Prince Edward Branch #91, I would like to once again request the donation of an additional tent(s) for our service on Remembrance Day.

As our community grows, so does our Remembrance Day service. As you know, we now have the Gordon United Church choir as well as the West Shore Community Concert Band as part of our service and last year had 65 dignitaries and groups laying wreaths. Our service is well-attended and is growing right along with the City.

We appreciate all the help you give us for our Remembrance Day Service and hope you will look favourably on our request for an additional tent.

Lest we Forget,

Norm Scott
President



Staff Report to Council

Date: September 25, 2018
Department: Planning
Subject: Bylaw No. 1807 – Road Closure and Disposition of a Portion of Spencer Road

BACKGROUND

At their Regular Meeting of September 17, Council passed a resolution with respect to the proposed closure of a portion of Spencer Road that included the following:

That Council;

Give Spencer Road Closure Bylaw No. 1807 1st, 2nd, and 3rd readings.

AND

Direct staff to ensure a statutory right of way for access to services and utilities within the closed road is registered concurrently with the raising of the title to this land to the satisfaction of the service and utility providers.

COMMENTS

Bylaw No. 1807 was signed by the Minister of Transportation on September 21, 2018.

OPTIONS

That Council:

1. Adopt Spencer Road Closure Bylaw No. 1807.
-

OR

2. Take no action at this time with respect to Bylaw No. 1807;

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:	Audrey Kryklywyj, Deputy Director of Finance
Concurrence:	Braden Hutchins, Director of Corporate Services
Concurrence:	Darren Kiedyk, Chief Administrative Officer

:rd

CITY OF LANGFORD
ROAD CLOSURE BYLAW NO. 1807, 2018
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 1,993.9m² (0.5 acres), which was dedicated as highway by Plans 26096, 28421, 35765, VIP62910, VIP62914, VIP62431, VIP65827, VIP89283 and by Form 12 accompanying Plan 1431 OS, Sections 5 and 99, Esquimalt District, as shown outlined in a bold black line on the reference plan prepared by James Worton, BCLS 757, 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 1,993.9 square metres of highway, which was dedicated as highway by Plans 26096, 28421, 35765, VIP62910, VIP62914, VIP62431, VIP65827, VIP89283 and by Form 12 accompanying Plan 1431 OS, Sections 5 and 99, Esquimalt District, labelled "Closed Road" 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. 1807 (Spencer Road), 2018”.

READ A FIRST TIME this 17th day of September, 2018.

READ A SECOND TIME this 17th day of September, 2018.

READ A THIRD TIME this 17th day of September, 2018.

APPROVED BY THE MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE THIS 21st DAY
OF September, 2018.

ADOPTED this day of , 2018.

MAYOR

(Certified Correct)
CHIEF ADMINISTRATIVE OFFICER

SCHEDULE "A" – Road Closure Plan

Reference Plan to accompany Bylaw No 1807 (City of Langford)
To Close Parts of Road Dedicated on
Plans 26096, 28421, 35765, VP62910,
VP62914, VP62431, VIP65827, VIP89283,
and by Form 12 accompanying Plan 1431 OS.
Sections 5 and 99, Esquimalt District

Plan EPP72232

Pursuant to Section 120 of the Land Title Act
and Section 40 of the Community Charter
BCGS 92B.043

LEGEND

Integrated Survey Area No. 51, City of Langford, NAD83(CRS)3.0.0.BC.1.0RD
Grid bearings are derived from observations between geodetic
control monuments 12H2670 and 03H2515.

The UTM coordinates and estimated horizontal positional
accuracy achieved are derived from the MASDOT published coordinates and
standard deviations for the geodetic control monuments 12H2670 and 03H2515.

This plan shows horizontal ground-level distances except where
otherwise noted. To compute grid distances, multiply ground-level
distances by combined factor of 0.99960655 which has been derived
from control monuments 12H2670 and 03H2515.

Found	Set	Denotes
●	○	Standard Iron Post
■	□	Standard Lead Plug
●	○	Control Monument
●	○	Non-Standard Post
●	○	Standard Concrete Post
RP	—	Road Dedicated by Plan

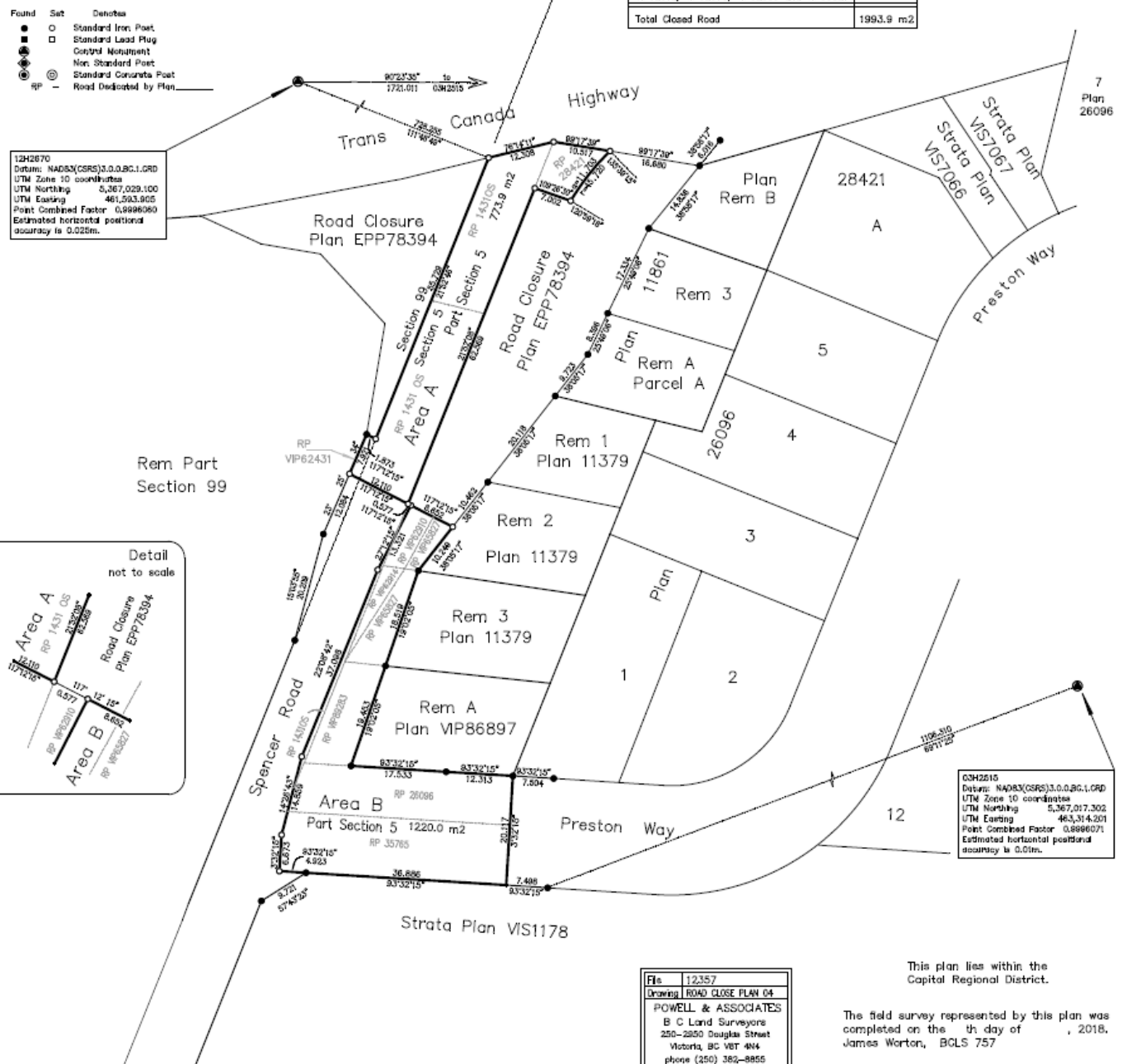
0 5 25 50

All distances are shown in metres.

The intended plot size of this plan
is 432mm in width by 560 mm in height
(C size) when plotted at a scale of 1:500.

Book of Reference

Area A, Closed Road, Part Section 5, Dedicated by Plan VP62431 and by Form 12 accompanying Plan 1431OS	773.9 m2
Area B, Closed Road, Part Section 5, Dedicated by Plans VP62910, VP62911, VP62912, VP62870, VP62839 and VP65827	1220.0 m2
Total Closed Road	1993.9 m2



This plan lies within the
Capital Regional District.

The field survey represented by this plan was
completed on the 14 day of 2018.
James Worton, BCLS 757

File	12357
Drawing	ROAD CLOSE PLAN 04
POWELL & ASSOCIATES	
B C Land Surveyors	
250-2650 Douglas Street	
Victoria, BC V8T 4N4	
phone (250) 382-8855	

**CITY OF LANGFORD
BYLAW NO. 1811**

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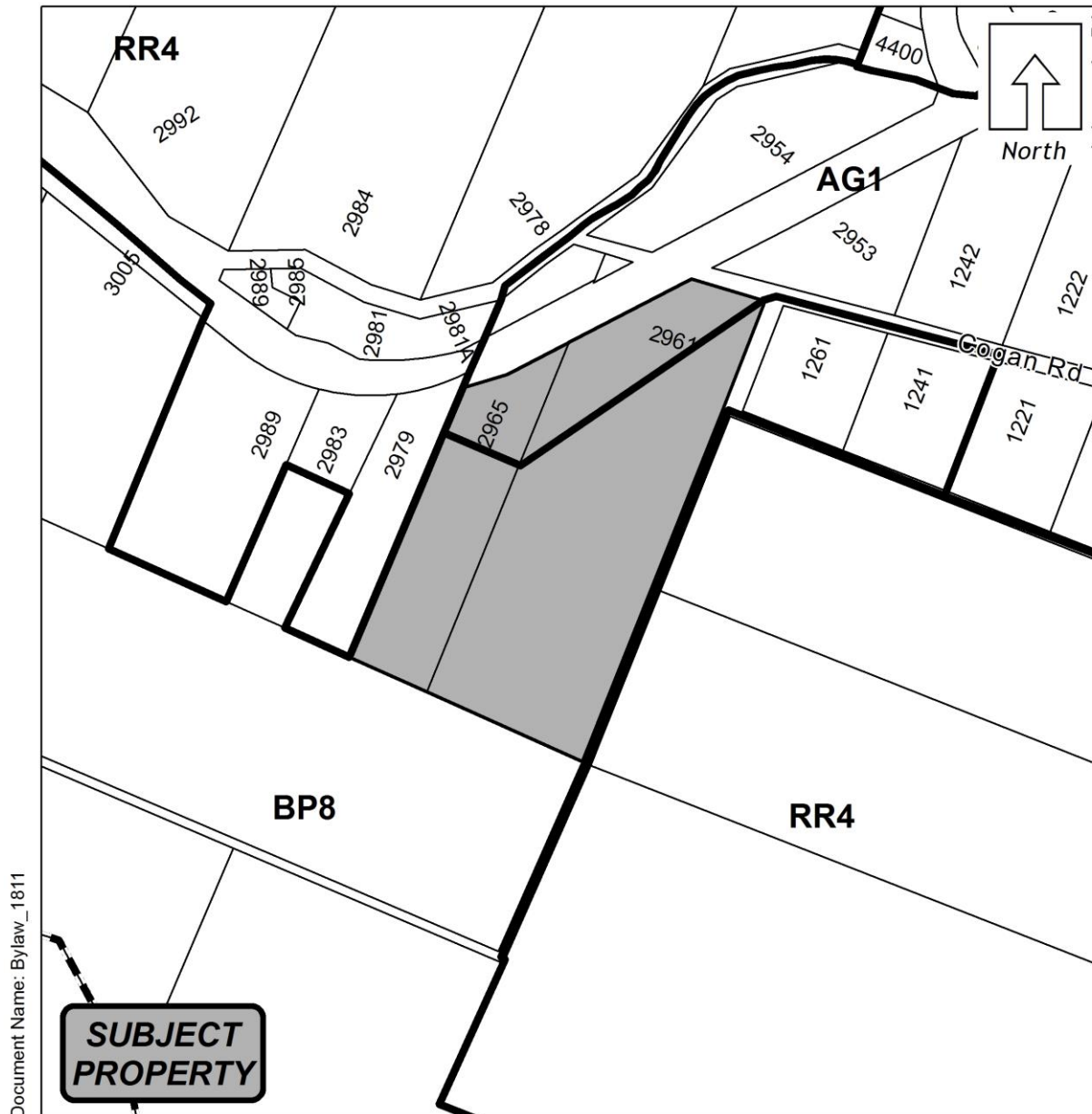
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ADOPTED this of, 2018.

MAYOR

(Certified Correct)
CORPORATE OFFICER

Schedule A



I HEREBY CERTIFY THIS TO BE A TRUE COPY
OF PLAN No. 1 AS DESCRIBED
IN SECTION A1 OF BYLAW No. 1811
ADOPTION:

MAYOR

CORPORATE OFFICER

Scale: N.T.S.

Last Revised: 9/20/2018

CITY OF LANGFORD

BYLAW 1812

A BYLAW TO AMEND BYLAW NO. 177 BEING THE *Langford Municipal Park Regulation Bylaw No. 177, 1996*

Whereas issues of homelessness, mental illness, addiction and associated criminal and illegal activity primarily fall within the jurisdiction of the Province; and

Whereas the Province has not met its obligation to provide 24/7 on-site care and support services, rehabilitation facilities, short-term shelter and permanent long-term housing to those suffering from homelessness, mental illness and addiction; and

Whereas the Province must provide 24/7 support services from the appropriate ministries in a coordinated manner to ensure that local governments across British Columbia do not bear the front-line costs, including policing, bylaw enforcement and clean-up costs, associated with addressing these issues; and

Whereas if the Province chooses to house homeless in a Provincial Park, there must be early neighbourhood and local government consultation; and

Whereas in order to limit the costs to the City of Langford, as well as to ensure the safety and security of its residents;

Now therefore, the Council of the City of Langford, in open meeting assembled, enacts as follows:

1. Langford Municipal Park Regulation Bylaw No. 177, 1996 is amended by:

a) Deleting the definition of “Park” at subsection 1.6 and replacing it with the following:

1.6 “Park” – means land dedicated as park or used by the City as a park, sports field, playground, cemetery, trail, garden, or recreational area, and all buildings and improvements upon such land.

b) Adding the following definitions to section 1:

1.19 “Homeless Person” – means a person who has neither a fixed address nor a predictable safe residence to return to on a daily basis.

1.20 “Temporary Overnight Shelter” – means a tent, lean-to, or other form of shelter that is temporary and portable in nature that is constructed from nylon, plastic, cardboard or other similar rigid or non-rigid material.

c) Adding the words “, open space, beach or trail” immediately after the word “park” in subsection 4.11.

d) Replacing the word “tent” with the words “temporary overnight shelter” in subsection 4.11.

e) Renumbering subsections 4.12 to 4.21 to be subsections 4.18 to 4.27 respectively and in order of their sequence and inserting the following as new subsections 4.12 to 4.17:

4.12 No person shall construct or place in or on any park, open space, trail or beach a shelter, pavilion or permanent structure without first obtaining the permission of Council.

4.13 Despite subsection 4.10, subsection 4.11 and subsection 4.12 of this Bylaw, where there is no accessible overnight shelter accommodation available within the City or the vicinity thereof, a homeless person may erect and occupy a temporary overnight shelter in a park subject to the restrictions set out in subsection 4.14.

4.14 A temporary overnight shelter permitted under subsection 4.13:

- (a) must not be erected before 7:00 p.m. on any one day and must be taken down and removed before 9:00 a.m. on the next day following; and
- (b) must not be erected or occupied at any time in, upon or within 10 metres of any of the following:
 - (i) washroom facilities;
 - (ii) a road, driveway or parking facilities;
 - (iii) a pathway, trail, bridge, boardwalk, dock or wharf;
 - (iv) a beach;
 - (v) land designated on the City's official community plan as development permit areas for the purpose of protecting the natural environment; and
- (c) must not be erected or occupied at any time in, upon or within 100 metres of any of the following:
 - (i) a playground, spray park or pool;
 - (ii) a horticultural display area or garden;
 - (iii) a tennis court or other sport court;
 - (iv) a sport field, stadium or dugout;
 - (v) a stage or bleachers;
 - (vi) a picnic shelter or gazebo;
 - (vii) recreation facilities; and
 - (viii) a cenotaph.

4.15 Any temporary overnight shelter erected or maintained contrary to this bylaw may be removed under subsection 6.4.

4.16 No person shall abandon, deposit, dispose of or leave unattended any chattel in any park, open space, trail or beach other than the disposal of refuse in the appropriate receptacle.

4.17 No person shall leave needles in any park, open space, beach or trail.

e) Adding the following subsections to section 6:

6.4 The Parks Manager, a Royal Canadian Mounted Police Officer or a Municipal Bylaw Enforcement Officer may remove, seize and impound or cause the removal, seizure or impoundment of any chattel placed or left in any park, open space, trail or beach contrary to this bylaw.

6.5 After the removal, seizure or impoundment of a chattel under subsection 6.4, the chattel shall be made available to be claimed in accordance with subsection 6.6 by a person entitled to its possession by no later than 2:00 p.m. on the next business day following the date of its removal, seizure or impoundment.

6.6 A person entitled to possession of a chattel removed, seized or impounded under this bylaw may reclaim the chattel by contacting the City's Parks Department during regular business hours and paying the City a fee equal to the sum of the fees that would have been payable to the City under subsection 7.3.1 of Traffic Bylaw No. 33, 1995 if the chattel had been removed, detained or impounded under Traffic Bylaw No. 33, 1995.

6.7 If a person entitled to possession of a chattel has not claimed it under section 6.6 within 30 days following its impoundment, the Parks Manager may:

- (a) cause the chattel to be sold, by public auction, to the highest bidder; or
- (b) cause the chattel to be disposed of as garbage if it appears to the Parks Manager that the chattel or structure has no market value.

6.8 Where a chattel is sold at public auction under subsection 6.7(a), the proceeds of the sale shall be applied as follows:

- (a) firstly, to pay the costs incurred by the City for the removal, storage and auctioning of the chattel; and
- (b) secondly, to pay the remainder, if any, to the person who owned the chattel if that person's identity and location are known.

6.9 Where an amount referred to subsection 6.8(b) remains unclaimed and the identity or location of the person entitled to it is unknown after one year following the date of the auction, the amount shall be paid into the general revenue of the City.

6.10 Despite subsection 6.5, the City may immediately remove and dispose of any garbage, noxious or offensive matter or substance placed or found in or on a park, open space, trail or beach.

2. This bylaw may be cited for all purposes as the “Langford Municipal Park Regulation Bylaw Amendment No. 9, Bylaw No. 1812, 2018”.

READ A FIRST TIME this 24th day of September, 2018

READ A SECOND TIME this 24th day of September, 2018

READ A THIRD TIME this 24th day of September, 2018

RECONSIDERED, FINALLY PASSED AND ADOPTED THIS ___th day of September, 2018

Mayor

Certified Correct
(Corporate Officer)



City of Langford

www.cityoflangford.ca

September 26th, 2018

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 land matters under Section 90 (1) (e) of the Community Charter.
- b) That Council continue the meeting in closed session.