

CITY OF LANGFORD
MINUTES OF THE REGULAR MEETING OF COUNCIL
Monday, January 21st, 2019 @ 5:30 p.m.
Council Chambers, 3rd Floor, 877 Goldstream Avenue

PRESENT

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

ATTENDING

Chief Administrative Officer, D. Kiedyk, Director of Finance, M. Dillabaugh; Director of Engineering, M. Mahovlich (arrived at 7:35); Director of Corporate Services, B. Hutchins, Director of Planning, M. Baldwin and Manager of Parks and Recreation Cory Manton.

1. CALL TO ORDER

Mayor Young called the meeting to order at 5:31 pm.

2. APPROVAL OF THE AGENDA

MOVED BY: COUNCILLOR SAHLSTROM

SECONDED: COUNCILLOR STEWART

That Council approve the agenda as presented.

CARRIED.

3. PUBLIC HEARINGS

a) BYLAW NO. 1784 and BYLAW NO. 1785

"Langford Official Community Plan Bylaw, Amendment No. 28, (734 Latoria Rd), 2018".

"Langford Zoning Bylaw, Amendment No. 537, (734 Latoria Rd), 2018".

The Mayor opened the Public Hearing for Bylaw No. 1784 and Bylaw no. 1785 at 5:31 pm, and read a statement to inform those present of the public hearing procedure.

Director of Planning Matthew Baldwin advised that Kevin Parker of Draycor Developments has applied on behalf of Don and Patricia Gordon to amend the Official Community Plan designation from Agricultural to Hillside or Shoreline and to amend the zoning from AG1 (Agricultural 1) Zone to RS4 (Residential Small Lot 4) Zone for the property located at 734 Latoria Rd.

This is being proposed in order to allow for subdivision and future residential development.

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

In support of these applications, the applicant has agreed to provide the following:

1. That the applicant provides, as a bonus for increased density, the following contributions per single family equivalent (SFE) created, prior to subdivision approval:
 - i) \$1,000 towards the Affordable Housing Reserve Fund; and
 - ii) \$6,000 towards the General Amenity Reserve Fund.
2. That the applicant provides, as a condition of removing land from the Agricultural Land Reserve, \$6.72 per m² of gross land area being rezoned towards the General Amenity Reserve Fund prior to subdivision approval for the creation of more than one lot located north of the SPEA and more than one lot located south of the SPEA.
3. That the applicant provides the following prior to Public Hearing:
 - i) A technical memorandum regarding proposed stormwater management for the development, to the satisfaction of the Director of Engineering;
4. That the applicant registers a Section 219 Covenant, in priority of all other charges on title, prior to Bylaw Adoption that agrees to:
 - i) Construct full frontage improvements, in accordance with Bylaw No. 1000 standards and to the satisfaction of the Director of Engineering, prior to subdivision approval or Building Permit issuance, whichever occurs first;
 - ii) Prepare a construction management parking plan, to the satisfaction of the Director of Engineering, prior to Building Permit issuance;
 - iii) Prepare a detailed stormwater management plan, to the satisfaction of the Director of Engineering, prior to subdivision approval or Building Permit issuance, whichever occurs first;
 - iv) Construct any above- or underground infrastructure or servicing upgrades, extensions or other servicing requirements required by the approved stormwater management plan, in accordance with Bylaw No. 1000 standards and to the satisfaction of the Director of Engineering, prior to subdivision approval or Building Permit issuance, whichever occurs first;
 - v) Construct a 2.0 m (6.6ft) wide gravel multi-use trail along the Latoria Road frontage of the subject property and extending north into Desmond Park and east to the property at 720, and complete all associated landscaping and remediation work, to the satisfaction of the Parks Manager, prior to subdivision approval or Building Permit issuance, whichever occurs first;
 - vi) Acknowledge that the site is in proximity to agricultural areas and the South Vancouver Island Rangers gun range, and that these uses may create general noise, odour and other nuisances, and agree that the owner and all future owners assume all risk and annoyance of such nuisances; and

- vii) Dedicate approximately 17.5% of the property at 734 Latoria Road to the City, and \$55,000 cash-in-lieu of open space to the General Amenity Reserve Fund, prior to subdivision approval.

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

The Mayor called a first time for presentations.

Resident on Goldspur Road – Thanked Mayor and Council and relayed support for the affordable housing but does not support RS4 as it does not fit with the community. Resident thinks the city should maintain the same zoning as said in 2004. Resident raised concerns about riparian infractions, that broader services are not being supported, is also concerned that neighbourhood parks are not being funded and that the neighbourhood is not being represented by elected officials and asks that Council to pursue RRGAs.

Will Perrell, Victoria Design – If keeping the same zoning, could get the same number lots as the proposed rezoning. This is just how to do it best (# of lots will be the same). Trying to make the design appealing. Parking will not spill over into other developments.

Resident on Whimfield Terrace – Not opposed to development but is opposed to RS4. There is not enough density to what is being developed. Mentioned to council that lots will be sold as bare land. Resident is concerned that there is not enough room and that secondary suites will create issues for parking. There is not enough transit for the increase and no greenspace or park developments.

Resident on Wendey Drive – Supports houses but doesn't support RS4 as it doesn't fit into the neighbourhood. Where are the trees in the picture? Where is extra parking, what is happening to the creek?

Applicant – Confirmed that all houses have to have a development permit to control form and character and clarified that RS4 and RS6 set backs are the same.

Les Bjola, Goldstream Ave – Stated that the average household income to buy in Langford is \$140,000. The city is trying to balance affordability with development. Draycor has already built a lot of houses on Latoria Road and thanked them.

Resident on Wendey Drive – Is not opposed to development just the zoning and smaller lots. Parking is a concern, as well as traffic and safety.

Applicant – Provided clarification on parking (4 cars per household) and provide some parking amounts as RRGAs. If it remains a strata, the public isn't welcome.

Resident on Desmond Drive – Asked if 4 parking spots included the garage.

Mayor Young clarified that yes, the 4 parking spaces included the garage.

Resident asked for clarification about the park and school acquisition.

Mayor Young clarified that it's a School District process and not public information.

Resident said they do not support the bylaw amendment. After the Planning and Zoning meeting, Draycor

was to provide information to neighbours: Why not RRGAs, traffic concerns, riparian area concerns, impact to neighbourhood. Draycor had a meeting on November 26, 2018, but have questions still unsettled (e.g. no riparian professional present). Walked through concerns about each of the above questions. RRGAs doesn't provide same number of lots as RS4. Development is not keeping with previous decisions regarding zoning. Draycor is unable to answer environmental concerns questions. Douglas fir concerns needs further looking into. Water flow has not been adequately looked at. Concerned about riparian report methodology. Brought examples of species that are living in the water. Studies she conducted shows continuous life which support the trout. Concern lookout brook is needed as a ditch, not a stream as legally required. Bylaw No. 1201 links to provincial riparian area regulations, so that is what needs to be adhered to. Concerned about excessive land clearing and backfill into vacant lots, and that riparian areas are to be used for vehicle storage. Proposed zoning not keeping with neighbourhood or with past council designs. Not a satisfactory answer as to RR6. What happened to neighbourhood petition with 96% support? Understands input on business and impact on staff if this is rethought.

Resident on Whimfield Terrace – Current home is a welcoming community. South Langford neighbourhood plan suggests 550m² not averaging over 2/3's of an acre. Matthew Baldwin, Director of Planning – provided clarification that it is 5 lots per acre, not including riparian area.

Resident is concerned about fitting in development into area where there are existing houses. 70 households have said they are not happy with this plan. The majority of people don't feel they are being listened to.

Mayor Young – Provided clarification that the proposal would result in park land dedicated to the city. If RRGAs, the city doesn't get anything. The city tries to balance as best as it can.

Resident on Whimfield Terrace – Is concerned about lot size, traffic and parking. They think residents should be happy and supportive if engaged from the onset.

Ron Coutre, President of Westshore Developers Association – Said they've had lots of progress over the last 25 years in Langford. This is not infill, but development of a new neighbourhood. Not possible without utilities being extended. He appreciates the low taxes and how development helps with that. He has heard that the issue is with density, lot averaging will result in the same density. Setbacks and parking will be the same. Bare land strata not as good, better asset to the city. He encourages council to move forward with the development as present.

Resident – Received advice from legal counsel (West Coast Environmental Law) and read it aloud.

Resident on Desmond Drive – Said the biggest concern is parking, but they are also concerned about damage to trees.

Resident on Whimfield Terrace – Asked about parking requirements if they are only parking on side.

Resident on Goldspur Road – Provided clarification to the on street parking situation.

Resident – Asked about South Neighbourhood Plan and how it impacts this neighbourhood.

Mayor Young called a second time for presentations.

None presented.

Mayor Young called a third and final time for speakers. There being none, he declared the Public Hearing for Bylaw No. 1784 and Bylaw No. 1785 closed at 7:33 p.m.

b) BYLAW NO. 1794

"Langford Zoning Bylaw, Amendment No. 555, (935 Walfred Rd), 2018".

The Mayor opened the Public Hearing for Bylaw No. 1794 at 7:40 pm, and read a statement to inform those present of the public hearing procedure.

Director of Planning Matthew Baldwin advised that Sherri Davies has applied on behalf of Drealty Development Ltd to amend the zoning of 877 Klahanie Dr from the RR2 (Rural Residential 2) Zone to the RR7 (Rural Residential 7) Zone.

This is being proposed in order to allow for the development of six strata lots that share a common access road.

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, as a bonus for increased density, the following contributions per lot created, prior to subdivision approval:

- i. \$6,000 towards the General Amenity Reserve Fund; and
- ii. \$1,000 towards the Affordable Housing Reserve Fund.

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

Additionally, 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:

- iii. That all frontage improvements to Bylaw 1000 standards are provided to the satisfaction of the Director of Engineering;
- iv. That a storm water management plan be provided, which demonstrates the required onsite detention, to the satisfaction of the Director of Engineering;
- v. That notification be provided that the properties are close to agricultural operations and the South Vancouver Rangers property, both of which may generate nuisances;
- vi. That the proposed greenspace areas totaling 30% of the land is covenanted as a non-disturbance area.
- vii. That the edges of the strata road are free and clear of any obstruction and are level with the strata road in order to allow turning movements of a fire truck.

This proposal is consistent with the Official Community 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.

Mayor Young called a third and final time for speakers. There being none, he declared the Public Hearing for Bylaw No. 1794 closed at 7:40 p.m.

c) BYLAW NO. 1806

"Langford Zoning Bylaw, Amendment No. 547, (2688 and 2690 Sooke Road), 2018".

The Mayor opened the Public Hearing for Bylaw No. 1806 at 7:41 pm, and read a statement to inform those present of the public hearing procedure.

Director of Planning Matthew Baldwin advised that Niall Paltiel of Keycorp Planning Ltd. has applied on behalf of Oakcrest Park Estates Ltd. to amend the zoning of 2688 & 2690 Sooke Road from the CS1 (Service Commercial) Zone to the C9 (Community Town Centre Pedestrian 9) Zone.

This is being proposed in order to allow for a mixed-used development that would tie in with the surrounding lands that have recently been rezoned to C9.

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 contributions per residential unit, prior to issuance of a building permit, as a bonus for increased density:

- i. \$2,074 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 or higher; and
- ii. \$610 towards the Affordable Housing Reserve Fund.

The applicant has also agreed to provide, prior to public hearing, 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.

Additionally, prior to bylaw adoption, the applicant agrees to provide 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, Building Permit, or Subdivision until the subject properties have been consolidated with surrounding land to the satisfaction of the Director of Planning.

- 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 subject and surrounding properties as a whole.
- iv. That, if necessary, the owner will provide an easement for reciprocal vehicular access in conjunction with any Development Permit where various properties may be affected, to the satisfaction of the City Planner.
- v. 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;
- vi. 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
- vii. 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.

This proposal is consistent with the Official Community Neighbourhood and Neighbourhood Centre designations.

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.

Mayor Young called a third and final time for speakers. There being none, he declared the Public Hearing for Bylaw No. 1806 closed at 7:44 p.m.

d) BYLAW NO. 1810

"Langford Zoning Bylaw, Amendment No. 550, (887 Klahanie Dr), 2018".

The Mayor opened the Public Hearing for Bylaw No. 1810 at 7:44 pm, and read a statement to inform those present of the public hearing procedure.

Director of Planning Matthew Baldwin advised that Sherri Davies has applied on behalf of Drealty Development Ltd to amend the zoning of 877 Klahanie Dr from the RR2 (Rural Residential 2) Zone to the RR7 (Rural Residential 7) Zone.

This is being proposed in order to allow for the development of six strata lots that share a common access road.

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, as a bonus for increased density, the following contributions per lot created, prior to subdivision approval:

- i. \$6,000 towards the General Amenity Reserve Fund; and
- ii. \$1,000 towards the Affordable Housing Reserve Fund.

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

Additionally, 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:

- iii. That all frontage improvements to Bylaw 1000 standards are provided to the satisfaction of the Director of Engineering;
- iv. That a storm water management plan be provided, which demonstrates the required onsite detention, to the satisfaction of the Director of Engineering;
- v. That notification be provided that the properties are close to agricultural operations and the South Vancouver Rangers property, both of which may generate nuisances;
- vi. That the proposed greenspace areas totaling 30% of the land is covenanted as a non-disturbance area.
- vii. That the edges of the strata road are free and clear of any obstruction and are level with the strata road in order to allow turning movements of a fire truck.

This proposal is consistent with the Official Community Neighbourhood designation.

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

The Mayor called a first time for presentations.

Resident on Klahanie Drive – Is for developments and would be in the future. Is also interested in cohesiveness with further development.

Mayor Young called a second time for presentations.

None presented.

Mayor Young called a third and final time for speakers. There being none, he declared the Public Hearing for Bylaw No. 1810 closed at 7:46 p.m.

4. ADOPTION OF MINUTES

a) Minutes of the Committee of the Whole Meeting – December 14th, 2018

MOVED BY: COUNCILLOR SAHLSTROM

SECONDED: COUNCILLOR SEATON

That Council approve the minutes of the Committee of the Whole Meeting held on December 17th, 2018.

CARRIED.

b) Minutes of the Regular Meeting of Council – December 17th, 2018

MOVED BY: COUNCILLOR SAHLSTROM

SECONDED: COUNCILLOR SEATON

That Council approve the minutes of the Regular Meeting of Council held on December 17th, 2018.

CARRIED.

5. OTHER BOARD AND COMMISSION MINUTES

a) West Shore Parks and Recreation – November 15th, 2018

MOVED BY: COUNCILLOR WADE

SECONDED: COUNCILLOR SAHLSTROM

That Council receive the minutes of the West Shore Parks and Recreation Meeting held on November 15th, 2018.

CARRIED.

6. DEVELOPMENT VARIANCE PERMIT

Mayor Young offered an opportunity for public input.

a) DVP18-0019 – 790 McCallum Rd

MOVED BY: COUNCILLOR BLACKWELL

SECONDED: COUNCILLOR SAHLSTROM

That Development Variance Permit No. DVP18-0019 be issued by the Council for the City of Langford to Keycorp Planning Ltd on behalf of Seacliff Properties to allow for the future subdivision of the lands without building or bonding for the newly dedicated municipal roads at 790 McCallum Road until a later date 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 17 December 2018.

2. Variances

The following regulations of Subdivision and Development Servicing Bylaw No. 1000 are varied under Section 506 of the *Local Government Act*:

- a) That Section 1.12.2.1 of Subdivision and Development Servicing Bylaw No. 1000 be varied from requiring Construction Acceptance be issued or a Works and Services Agreement be entered into prior to final approval of subdivision;

3. Conditions

The following requirements are imposed under Section 506 of the *Local Government Act*:

- i) That a section 219 covenant be registered on the lands prior to subdivision, requiring that:
 - i. The scope of required road construction and servicing works be completed to the satisfaction of the Director of Engineering prior to the issuance of a Building Permit; and
 - ii. That, prior to issuance of a Building Permit, the required works either achieve Construction Acceptance or are secured in a Works and Services Agreement with Construction Acceptance issuance prior to Occupancy Permit.

CARRIED.

7. PUBLIC PARTICIPATION

None presented.

8. REPORTS

- a) **Bike BC Grant Application 2019**
 - **Staff Report (Engineering)**

MOVED BY: COUNCILLOR WADE
SECONDED: COUNCILLOR SAHLSTROM

That Council direct staff to apply for the Bike BC grant for two segments of the Humpback – Irwin multi use trail, namely the segments from Paradise Ponds to Westhills (1km) and the Humpback to Great Trail connection (1.4km) for a total estimated cost of \$1.4M, and fund our portion of the project estimated at \$900K from gas tax revenue.

CARRIED.

b) Downtown Infrastructure Study – Stormwater and Sanitary Sewers
- Staff Report (Engineering)

MOVED BY: COUNCILLOR WADE
SECONDED: COUNCILLOR SEATON

That Council receive the Analysis Langford Groundwater Level Monitoring study dated January 17, 2019; and authorize staff to get a quote to continue recording the groundwater levels in the monitoring wells for the purposes of providing more comprehensive data for the downtown core in ground infiltration options.

CARRIED.

c) Add an Item to the Required Covenant for Rezoning of 877 Klahanie Drive
- Staff Report (Planning)

MOVED BY: COUNCILLOR BLACKWELL
SECONDED: COUNCILLOR SZPAK

That Council add the following item to the covenant that is to be registered prior to adoption of the rezoning application for 887 Klahanie Drive:

- a) That lands to the south of 887 Klahanie Drive have the legal ability to access the first portion of the strata road being proposed on this development site in order to provide access for future developments to the south.

CARRIED.

9. BYLAWS

a) BYLAW NO. 1784
"Langford Official Community Plan Bylaw, Amendment No. 28, (734 Latoria Rd), 2018".
(SECOND AND THIRD READINGS)

Council discussed some of the concerns that arose during the public hearing. It was noted that (1) the proposed development would realize 20% greater parking than required, (2) if developed under the current zoning, lot averaging would equal the same density as the new zoning, and (3) by rezoning, the City would be able to retain the riparian area as park.

MOVED BY: COUNCILLOR SZPAK
SECONDED: COUNCILLOR BLACKWELL

That Council give Bylaw No. 1784 Second and Third Readings.

CARRIED.

b) BYLAW NO. 1785
"Langford Zoning Bylaw, Amendment No. 537, (734 Latoria Rd), 2018".

(SECOND AND THIRD READINGS)

MOVED BY: COUNCILLOR SZPAK
SECONDED: COUNCILLOR BLACKWELL

That Council give Bylaw No. 1785 Second and Third Readings.

CARRIED.

- c) BYLAW NO. 1794**
"Langford Zoning Bylaw, Amendment No. 555, (935 Walfred Rd), 2018".
(SECOND AND THIRD READINGS)

MOVED BY: COUNCILLOR WADE
SECONDED: COUNCILLOR BLACKWELL

That Council give Bylaw No. 1794 Second and Third Readings.

CARRIED.

- d) BYLAW NO. 1798**
"Langford Zoning Bylaw, Amendment No. 544, (2439 Selwyn Road), 2019".
(FIRST READING)

MOVED BY: COUNCILLOR WADE
SECONDED: COUNCILLOR BLACKWELL

That Council give Bylaw No. 1798 First Reading.

CARRIED.

- e) BYLAW NO. 1806**
"Langford Zoning Bylaw, Amendment No. 547, (2688 and 2690 Sooke Road), 2018".
(SECOND AND THIRD READINGS)

MOVED BY: COUNCILLOR BLACKWELL
SECONDED: COUNCILLOR WADE

That Council give Bylaw No. 1806 Second and Third Readings.

CARRIED.

- f) BYLAW NO. 1808**
"Langford Zoning Bylaw, Amendment No. 548, (2786 Wenger Terr), 2019".
(ADOPTION)

MOVED BY: COUNCILLOR WADE

SECONDED: COUNCILLOR BLACKWELL

That Council adopt Bylaw No. 1808.

CARRIED.

g) BYLAW NO. 1810

**"Langford Zoning Bylaw, Amendment No. 550, (887 Klahanie Dr), 2018".
(SECOND AND THIRD READINGS)**

MOVED BY: COUNCILLOR BLACKWELL

SECONDED: COUNCILLOR WADE

That Council give Bylaw No. 1810 Second and Third Readings with the addition of adding the following item to the covenant that is to be registered prior to adoption of the rezoning application for 887 Klahanie Drive:

- a) That lands to the south of 887 Klahanie Drive have the legal ability to access the first portion of the strata road being proposed on this development site in order to provide access for future developments to the south.

CARRIED.

h) BYLAW NO. 1814

**"Langford Zoning Bylaw, Amendment No. 552, (3238 Lodmell Rd), 2018".
(FIRST READING)**

MOVED BY: COUNCILLOR BLACKWELL

SECONDED: COUNCILLOR WADE

That Council give Bylaw No. 1814 First Reading.

CARRIED.

10. IN CAMERA RESOLUTION

MOVED BY: COUNCILLOR SZPAK

SECONDED: COUNCILLOR BLACKWELL

- 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 personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality; land matters; and the proposed provision of a municipal service under Section 90 (1) (a) (e) and (k) of the Community Charter.
- b) That Council continue the meeting in closed session.

CARRIED.

11. ADJOURNMENT

Mayor Young adjourned the meeting at 8:37 pm.



PRESIDING COUNCIL MEMBER:

DENISE BLACKWELL
ACTING MAYOR



CERTIFIED CORRECT

Corporate Officer

Braden Hutchins
Corporate Officer