

CITY OF LANGFORD
MINUTES OF THE MEETING OF COUNCIL
Monday, June 1st, 2020 @ 5:30 p.m.
Council Chambers Closed due to COVID-19
Meeting by Teleconference

PRESENT

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

ATTENDING

In Person: Chief Administrative Officer, D. Kiedyk; Director of Corporate Services, B. Hutchins; Director of Engineering, M. Mahovlich; Manager of Legislative Services, A. Proton; Manager of IT, Kevin Dube; Fire Chief, C. Aubrey; and IT Support Specialist, C. Lowe.

Remote: Director of Planning, M. Baldwin; and Director of Finance, M. Dillabaugh.

1. CALL TO ORDER

Mayor Young called the meeting to order at 5:36 pm.

2. APPROVAL OF THE AGENDA

MOVED BY: COUNCILLOR BLACKWELL
SECONDED: COUNCILLOR SAHLSTROM

That Council approve the agenda as presented.

CARRIED.

3. ADOPTION OF COUNCIL MINUTES

- a) Minutes of the Regular Meeting of Council – May 4, 2020
- b) Minutes of the Special Meeting of Council – May 21, 2020

MOVED BY: COUNCILLOR SEATON
SECONDED: COUNCILLOR WADE

That Council approve the minutes of the regular meeting of Council held on May 4th, 2020; and the minutes of the special meeting of Council held on May 21st, 2020.

CARRIED.

4. **OTHER BOARD AND COMMISSION MINUTES**

a) **West Shore Parks and Recreation – April 9, 2020**

MOVED BY: COUNCILLOR SEATON
SECONDED: COUNCILLOR WADE

That Council receive the minutes of the West Shore Parks and Recreation meeting held on April 9th, 2020.

CARRIED.

b) **Minutes of the Public Hearing Meeting – May 25, 2020**

MOVED BY: COUNCILLOR BLACKWELL
SECONDED: COUNCILLOR SAHLSTROM

That Council approve the minutes of the Public Hearing meeting held on May 25th, 2020.

CARRIED.

5. **PUBLIC PARTICIPATION**

None.

6. **TEMPORARY USE PERMIT**

a) **TUP20-0002 – #101 - 977 Langford Pkwy**

MOVED BY: COUNCILLOR BLACKWELL
SECONDED: COUNCILLOR SZPAK

That Temporary Use Permit No. TUP20-0002 be issued by the Council for the City of Langford to Flight Cannabis Co. (1163038 BC Ltd) to operate a cannabis retail store at #101 – 977 Langford Pkwy subject to the following terms and conditions:

1. **Appendix**

The site shall be developed in accordance with the site plan attached (Appendix A).

2. **Conditions**

- a) The non-medicinal use of cannabis and cannabis related products has historically been prohibited by federal law in Canada and, as a result, has historically been prohibited by the City under its Zoning Bylaw No. 300;
- b) On October 17, 2018, the Federal Government legalized the non-medicinal use of cannabis and cannabis products;

- c) The Federal Government and the Provincial Government have developed a regulatory framework for the retail sale of cannabis and cannabis products for non-medicinal use;
- d) The City wishes to authorize the retail sale of cannabis and cannabis products within its boundaries, but recognizes that there are challenges associated with it doing so;
- e) The City issued the Request for Proposals for the Retail Sales of Cannabis and Cannabis Related Products to seek proposals from individuals and organizations interested in undertaking the retail sale of cannabis and cannabis products for non-medicinal use within the City's boundaries, and required that proposals include details as to how the challenges with the retail sale of cannabis and cannabis products would be addressed;
- f) The City received and reviewed over 30 proposals in response to the Request for Proposals, and identified Flight Cannabis Co. (1163038 BC Ltd) proposal as one that best addressed the challenges with the retail sale of cannabis and cannabis products; and
- g) Flight Cannabis Co. (1163038 BC Ltd) is committed to assisting the City and taking positive steps to address the challenges with the retail sale of cannabis and cannabis products, subject to an occupancy permit for the tenant improvement to #101 - 977 Langford Parkway being issued by the City;

AND THAT the TUP term will commence upon issuance of an occupancy permit for the tenant improvement to #101 - 977 Langford Parkway.

CARRIED.

7. REPORTS

a) **Award of Peatt at Brock Roundabout Construction Contract** - **Staff Report (Engineering)**

MOVED BY: COUNCILLOR WADE
SECONDED: COUNCILLOR SZPAK

That Council award the construction of the Peatt at Brock roundabout to CopCan Civil Ltd. for the amount of \$447,675 excluding GST and fund the project from the City's Development Cost Charge program.

CARRIED.

b) **Pre-Award of Florence Lake Road Improvement Construction DCC Contract** - **Staff Report (Engineering)**

MOVED BY: COUNCILLOR WADE
SECONDED: COUNCILLOR SZPAK

That Council direct staff to award the construction of Florence Lake Road Improvement Project to the lowest compliant bidder and fund the project from the City's Development Cost Charge program.

CARRIED.

Councillor Stewart and Councillor Wade left the meeting at 5:41 pm due to conflicts of interest. A member of Councillor Stewart's family owns the property at 1324 Langshire Road, and Councillor Wade works for the owner of 1336 Langshire Road, which were the subject of May 25 public hearings.

- c) Delegated Public Hearings held May 25, 2020**
 - Staff Report (Planning)**

MOVED BY: COUNCILLOR BLACKWELL
SECONDED: COUNCILLOR SZPAK

That Council receive the report of its Delegate with respect to the Public Hearings for Bylaws 1862, 1887, 1888, 1889 and 1890.

CARRIED.

Councillor Stewart and Councillor Wade returned to the meeting at 5:42 pm.

- d) Council Policies with Respect to Public Hearings under COVID-19 Restrictions**
 - Staff Report (Planning)**

MOVED BY: COUNCILLOR BLACKWELL
SECONDED: COUNCILLOR SZPAK

That Council rescind its resolution of April 6th, 2020 with respect to waiving and delegating Public Hearings, and direct staff to include in all Public Hearing Notices, advertisements and signage that Public Hearings will be heard through electronic means until the Province's Chief Medical Health Officer indicates that it is safe to conduct public gatherings with more than 50 people.

CARRIED.

- e) Application for a Development Variance Permit to Allow for a Reduction in Parking and Side Lot Setbacks at 1109 Donna Avenue and 1106 and 1112 Goldstream Avenue AND Road Closure and Disposition of Portions of Leigh Road, Donna Avenue, and Remainder of Lot 6**
 - Staff Report (Planning)**

MOVED BY: COUNCILLOR BLACKWELL
SECONDED: COUNCILLOR WADE

That Council direct staff to provide notice that Council will consider issuing a Development Variance Permit with the following variances for a commercial building at 1109 Donna Avenue and 1106 and 1112 Goldstream Avenue:

- a) That Section 6.41.06(1)(a) of Zoning Bylaw No. 300 be varied to reduce the setback between a building and a front or exterior side lot line from 7.5m to 0m;
- b) That Section 6.41.06(1)(c) of Zoning Bylaw No. 300 be varied to reduce the setback between a building and a rear lot line from 3m to 0m; and
- c) That Section 4.01.01 Table 1 of Zoning Bylaw No. 300 be varied from the requirement applicable to individual commercial uses to 1 space per 39m² of commercial GFA;

Subject to the following terms and conditions:

- i) That the site is developed in accordance with the plan attached to this report as Appendix A;
- ii) That a minimum of 5 on-street parking spaces are created on Donna Ave;

AND

Enter into a Purchase and Sale Agreement with the applicant to sell the portions of closed road shown in road Closure Plan EPP100736 and Rem Lot 6, Section 99, Esquimalt District, Plan 8198, except Part in Plan VIP84403. The Applicant is required to pay \$31.50 per square foot minus the cost to construct the new public access and parking within the transfer area;

- a) Register a Statutory Right of Way over the land to allow public access and after-hours parking within the transfer area, along with a Section 219 Covenant requiring the applicant to maintain the access and parking spaces in perpetuity; and
- b) Post a public notice as prescribed in the *Local Government Act* for a road closure (posting in a local newspaper for two consecutive weeks);

AND

Proceed with consideration of 1st, 2nd and 3rd readings for Road Closure Bylaw No. 1916, 2020 (portion of Donna Avenue and Leigh Road).

CARRIED.

8. BYLAWS

a) **BYLAW NO. 1862**

"Langford Official Community Plan Bylaw, Amendment No. 33, (Text Amendment – Regional Context Statement), Bylaw No. 1862, 2020".

(SECOND AND THIRD READINGS)

MOVED BY: COUNCILLOR BLACKWELL

SECONDED: COUNCILLOR WADE

That Council give Bylaw 1862 second and third readings.

CARRIED.

b) BYLAW NO. 1869

"Langford Zoning Bylaw, Amendment No. 575, (2865 Carlow Rd), Bylaw No. 1869, 2020".

(ADOPTION)

MOVED BY: COUNCILLOR BLACKWELL

SECONDED: COUNCILLOR WADE

That Council adopt Bylaw 1869.

CARRIED.

c) BYLAW NO. 1870

"Langford Zoning Bylaw, Amendment No. 576, (894 Walfred Rd), Bylaw No. 1870, 2020".

(ADOPTION)

MOVED BY: COUNCILLOR BLACKWELL

SECONDED: COUNCILLOR WADE

That Council adopt Bylaw 1870.

CARRIED.

d) BYLAW NO. 1872

"Langford Zoning Bylaw, Amendment No. 577, (595 Hansen Ave), Bylaw No. 1872, 2020".

(ADOPTION)

MOVED BY: COUNCILLOR BLACKWELL

SECONDED: COUNCILLOR WADE

That Council adopt Bylaw 1872.

CARRIED.

e) BYLAW NO. 1878

"Langford Zoning Bylaw, Amendment No. 579, (991 Loch Glen Pl), Bylaw No. 1878, 2020".

(ADOPTION)

MOVED BY: COUNCILLOR BLACKWELL

SECONDED: COUNCILLOR WADE

That Council adopt Bylaw 1878.

CARRIED.

Councillor Stewart and Councillor Wade left the meeting at 5:47 pm due to conflicts of interest. A member of Councillor Stewart's family owns the property at 1324 Langshire Road, and Councillor Wade works for the owner of 1336 Langshire Road.

f) BYLAW NO. 1887

"Langford Official Community Plan Bylaw, Amendment No. 35, (4342 West Shore Pkwy and 1324 Langshire Rd), Bylaw No. 1887, 2020".

(SECOND AND THIRD READINGS)

MOVED BY: COUNCILLOR BLACKWELL

SECONDED: COUNCILLOR SAHLSTROM

That Council give Bylaw 1887 second and third readings.

CARRIED.

g) BYLAW NO. 1888

"Langford Zoning Bylaw, Amendment No. 584, (4342 West Shore Pkwy and 1324 Langshire Rd), Bylaw No. 1888, 2020".

(SECOND AND THIRD READINGS)

MOVED BY: COUNCILLOR BLACKWELL

SECONDED: COUNCILLOR SAHLSTROM

That Council give Bylaw 1888 second and third readings.

CARRIED.

h) BYLAW NO. 1889

"Langford Official Community Plan Bylaw, Amendment No. 36, (1336 Langshire Rd), Bylaw No. 1889, 2020".

(SECOND AND THIRD READINGS)

MOVED BY: COUNCILLOR BLACKWELL

SECONDED: COUNCILLOR SAHLSTROM

That Council give Bylaw 1889 second and third readings.

CARRIED.

i) BYLAW NO. 1890

"Langford Zoning Bylaw, Amendment No. 585, (1336 Langshire Rd), Bylaw No. 1890, 2020".

(SECOND AND THIRD READINGS)

MOVED BY: COUNCILLOR BLACKWELL
SECONDED: COUNCILLOR SAHLSTROM

That Council give Bylaw 1890 second and third readings.

CARRIED.

Councillor Stewart and Councillor Wade returned to the meeting at 5:48 pm.

j) BYLAW NO. 1893

"Langford Zoning Bylaw, Amendment No. 586, (721, 749, 755, 759, 767, 769 Meaford Ave), Bylaw No. 1893, 2020".

(SECOND AND THIRD READINGS)

MOVED BY: COUNCILLOR BLACKWELL
SECONDED: COUNCILLOR WADE

That Council give Bylaw 1893 second and third readings.

CARRIED.

k) BYLAW NO. 1906

"McCallum Road DCC Agreement (Project Number 6) Approval Bylaw No. 1906, 2020".

(FIRST, SECOND AND THIRD READINGS)

MOVED BY: COUNCILLOR BLACKWELL
SECONDED: COUNCILLOR WADE

That Council give Bylaw 1906 first, second and third readings.

CARRIED.

l) BYLAW NO. 1911

"Langford Zoning Bylaw, Amendment No. 591, (812, 816 & 820 Orono Ave), Bylaw No. 1911, 2020".

(SECOND AND THIRD READINGS)

MOVED BY: COUNCILLOR BLACKWELL
SECONDED: COUNCILLOR WADE

That Council give Bylaw 1911 second and third readings.

CARRIED.

m) BYLAW NO. 1916

**"Road Closure Bylaw No. 1916, 2020 (portion of 1109 Donna Ave and Leigh Road)".
(FIRST, SECOND AND THIRD READINGS)**

MOVED BY: COUNCILLOR SEATON
SECONDED: COUNCILLOR WADE

That Council give Bylaw 1916 first, second and third readings.

CARRIED.

9. IN-CAMERA RESOLUTION

MOVED BY: COUNCILLOR SAHLSTROM
SECONDED: COUNCILLOR BLACKWELL

THAT Council close the meeting to the public pursuant to section 90 (1) a, e and i and section 90 (2) b of the *Community Charter* to consider:

- 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;
- the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality;
- the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party.

CARRIED.

10. RISE and REPORT

MOVED BY: COUNCILLOR STEWART
SECONDED: COUNCILLOR SAHLSTROM

That Council appoint Councillor Roger Wade as the Langford representative to the West Shore Parks and Recreation Board for the year 2020, appoint Councillor Lanny Seaton as alternate,

AND THAT Council release the appointments to the public.

CARRIED.

11. ADJOURNMENT

Mayor Young adjourned the meeting at 6:11 pm.



PRESIDING COUNCIL MEMBER:



CERTIFIED CORRECT
Corporate Officer