

CITY OF LANGFORD
MINUTES OF THE SPECIAL MEETING OF COUNCIL

Monday, June 29th, 2020 @ 5:30 p.m.

Council Chambers Closed due to COVID-19
Meeting by Teleconference

PRESENT

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

ATTENDING

Chief Administrative Officer, D. Kiedyk; Director of Corporate Services, B. Hutchins; Manager of Legislative Services, A. Proton; Manager of Legislative Services, M. Watmough; Director of Engineering, M. Mahovlich; Director of Finance, M. Dillabaugh; Director of Planning, M. Baldwin; Manager of Community Safety and Municipal Enforcement, L. Fletcher; Manager of Information Technology, K. Dube; and Sr. Systems Administrator, R. Reinsch.

1. CALL TO ORDER

Mayor Young called the meeting to order at 5:34 pm.

2. APPROVAL OF THE AGENDA

MOVED BY: COUNCILLOR WADE

SECONDED: COUNCILLOR STEWART

That Council approve the agenda as presented.

CARRIED.

3. PUBLIC HEARING

a) BYLAW NO. 1883

"Langford Zoning Bylaw, Amendment No. 581, (2627 Sooke Rd), Bylaw No. 1883, 2020".

The Mayor opened the Public Hearing for Bylaw No. 1893 at 5:34 pm, and read a statement to inform those present of the public hearing procedure.

Director of Planning Matthew Baldwin advised that Danny Jadresko, has applied on behalf of Woodsmere Holdings Corp to amend the zoning of 2627 Sooke Road from the R2 (One- and Two-Family Residential) Zone to the C9 (Community Town Centre Pedestrian 9) Zone.

This is being proposed in order to allow for the development of approximately 90-units and a single ground level commercial unit that faces Sooke 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 the following:

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 toward the General Amenity Fund.

subject to reductions depending on the use and height in accordance with the Affordable Housing and Amenity Contribution Policy.

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 on-site 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 all frontage improvements along Sooke Road are provided as per the Sooke Road Corridor Concept Plan, to the satisfaction of the Director of Engineering and the Ministry of Transportation and Infrastructure, and that any road dedication required to contain these frontage improvements within the road right of way is provided prior to the issuance of a Building Permit;
- ii. That a 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;
- iii. That a construction parking and traffic management plan be provide prior to the issuance of a building permit, to the satisfaction of the Director of Engineering;
- iv. That an SRW for emergency access through the site is registered on title prior to the issuance of a Building Permit;
- v. That a separate covenant be registered prior to issuance of a building permit for the proposed residential building that ensures parking is assigned and tied to each unit created in accordance with the minimum required parking stalls as per the zoning bylaw.

d) Authorize the Director of Planning to issue the following variance in the Form and Character Development Permit for 2627 Sooke Road:

- i. That Table 1 of Section 4.01.01 be varied to reduce the minimum parking requirement from the required 2.75 spaces per dwelling unit with two bedrooms or less and 3.75 spaces per dwelling unit with more than two bedrooms to 1.25 spaces per dwelling unit with two bedrooms or less and 2.75 spaces per dwelling unit with more than two bedrooms.

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

Notifications and advertisements have been placed as required by the Local Government Act.

The Mayor called a first time for presentations.

Neighbourhood resident – This building will cause up to 180 extra vehicles plus visitor vehicles to enter a quiet neighbourhood every day, causing increased traffic, parking concerns, and safety concerns. It will decrease property values and impact current residents' enjoyment of their property. Resident requested more information about any traffic studies done for this application. Neighbourhood streets are poorly maintained and this will cause them to get worse. In the past, inadequate snow clearing has caused HandyDART and BC Ambulance to refuse to come.

Resident on Ernhill Drive – The resident bought their property because the community is quiet. They have complained about development in part, and think further development unacceptable. They think current residents are being driven away, and that no improvements such as lights or speed bumps have been made by the city. They believe traffic should not be directed through a quiet neighborhood, but should go through the highway instead.

Neighbourhood resident – The resident asked why traffic needs to be routed through a quiet neighborhood where children frequently play. There is currently little infrastructure, and no sidewalks or lights. The resident said there are currently 58 residents, and that this proposal will double traffic in the neighborhood. In addition, it is already difficult to drive in when it snows, and the proposal will reduce parking and force visitors to park on the street. The resident thinks this will negatively affect property values. They said this is not in line with OCP, and that this is not best suited to the surrounding properties.

Resident on Southglen Drive – The resident asked if the road will be widened. They believe it is not large enough for this proposal, especially when it snows

Resident on Southglen Drive – The resident has lived here for a number of years, and thinks there is a nice mix of ages between adults, seniors, and children. They think increased traffic will double the vehicles parking in the area, and that the streets are already too congested. They are strongly opposed to this proposal, and think access to the site should be from elsewhere.

Neighbourhood resident - The resident likes how quiet the neighborhood is, they had previously lived in a very congested neighborhood before moving here. They think this proposal will cause the same issue, and fear the impact of construction on residents' daily lives will change how kids can play on the street.

Mayor Young called a second time for presentations.

Resident on Ernhill Drive – The resident thinks the neighborhood has well-established and maintained homes, and that this is not a neighborhood in transition. The resident referred to the report of a similar development in the Sooke Road corridor, but stated there are no other developments that will impact quiet streets like this. They stated that Happy Valley to Jacklin Road is the busiest corridor in Langford, and that they cannot add more traffic to it as the parking requirements are inadequate.

Councillor Blackwell – Asked if the traffic can go on a different route or reduce its density.

M. Mahovich, Director of Engineering - Stated that the Ministry of Transportation and Infrastructure did

not prefer traffic to go along Sooke Road.

Councillor Sahlstrom – Asked what prevents us from having a left-hand turn into the development instead of going through quiet streets?

Councillor Stewart - Suggested making the building for seniors only.

Mayor Young – Suggested the city work with the Ministry of Transportation and Infrastructure to develop a Sooke Road access option as an alternative.

M. Mahovlich, Director of Engineering – Stated she can discuss a new plan with highways, but that it may be contrary to the corridor masterplan.

Mayor Young called a third and final time for speakers.

Stephen Earnest with Woodsmere Holdings, Developer – The Developer stated that peak hours would have 24 vehicles in the afternoon, and that traffic leaves onto Sooke Road going right.

Neighbourhood resident – The resident thought the neighborhood cannot accommodate the incoming construction traffic.

Councillor Seaton – Expressed his concerns about routes and overall parking reduction from this proposal.

M. Baldwin, Director of Planning – Stated that parking would be the same as the downtown core, and that only residential traffic would go through the residential streets.

Councillor Szpak – Stated that she echoes the concerns about traffic flow.

Mayor Young then declared the Public Hearing for Bylaw No. 1893 closed at 6:13 p.m.

MOVED BY: COUNCILLOR BLACKWELL
SECONDED: COUNCILLOR SAHLSTROM

That Council direct staff to work with the Province and the 2627 Sooke Road developer to have traffic come and go via Sooke Road rather than quieter residential streets.

CARRIED.

4. ADOPTION OF COUNCIL MINUTES

a) Minutes of the Special Meeting of Council – October 22, 2019

MOVED BY: COUNCILLOR SAHLSTROM
SECONDED: COUNCILLOR BLACKWELL

That Council approve the minutes of the special meetings of Council held on October 22, 2019.

CARRIED.

b) Minutes of the Special Meeting of Council – June 8, 2020

MOVED BY: COUNCILLOR SAHLSTROM

SECONDED: COUNCILLOR BLACKWELL

That Council approve the minutes of the special meetings of Council held on June 8, 2020.

CARRIED.

5. OTHER BOARD AND COMMISSION MINUTES

a) West Shore Parks and Recreation Board of Directors Meeting– May 14, 2020

b) West Shore Parks and Recreation Annual General Meeting – June 20, 2020

MOVED BY: COUNCILLOR BLACKWELL

SECONDED: COUNCILLOR WADE

That Council receive the minutes of the West Shore Parks and Recreation Board of Directors Meeting held on May 14, 2020 and Annual General Meeting held on June 20th, 2020.

CARRIED.

6. PUBLIC PARTICIPATION

None.

7. NOTICE OF INTENT

a) DVP20-0004 – Portions of Donna Ave; 1106 & 1112 Goldstream Ave

MOVED BY: COUNCILLOR BLACKWELL

SECONDED: COUNCILLOR WADE

That Development Variance Permit No. DVP20-0004 be issued by the Council for the City of Langford to Rohan Rupf, Keycorp Consulting Ltd. on behalf of Samuel and Samson Mow to allow for a reduction in parking and side lot setbacks at 1109 Donna Ave and 1106 and 1112 Goldstream Ave 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 staff report dated 27 January 2020.

2. Variances

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

- 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;

3. Conditions

The following requirements are imposed under Section 498 of the *Local Government Act*:

- 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. REPORTS

- a) **Deputy Corporate Officer Appointment**
 - **Staff Report (Administration)**

MOVED BY: COUNCILLOR SAHLSTROM
SECONDED: COUNCILLOR SZPAK

That Council rescind the appointment of Adriana Proton as Deputy Corporate Officer;

That Council appoint and confirm the appointments of the following employees:

- Manager of Legislative Services Marie Watmough as Deputy Corporate Officer
- Executive Assistant Julie Coneybeer as Deputy Corporate Officer

AND THAT Council appoint and confirm Marie Watmough and Julie Coneybeer as signing authorities for Council-approved contracts and agreements.

CARRIED.

b) City Centre Park Revenue Sharing
- Staff Report (Parks)

MOVED BY: COUNCILLOR SEATON
SECONDED: COUNCILLOR SZPAK

That Council authorize the amendment of the Stadium, Fieldhouse and Artificial Turf Fields 1 and 2 Operating and Management Agreement; Langford Lanes Bowling Alley Operations and Management Agreement; and Sportsplex Operating and Management Agreement Modification Agreements to postpone the payment of the City's revenue share from the operation of the facilities at City Centre Park until December 2020.

CARRIED.

c) Application for Development Variance Permit to allow a reduction in the rear Year setbacks from the required 6.0 m to 3.0 m for proposed lots 13 – 22 at the properties located at 1950 Bear Mountain Parkway.
- 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 for proposed lots 13 – 22 within the 39-lot subdivision at 1950 Bear Mountain Parkway, with the following variance:

- a) That Section 6.95A.08(1)(b) of Zoning Bylaw No. 300 be varied from the required 6.0 m to 3.0 m;

Subject to the following terms and conditions:

- i) That the setback variance applies to lots 13 – 22 only;
- ii) That the applicant provides prior to Development Variance Permit issuance, a Section 219 covenant, registered in priority of all other charges on title, that agrees to the following:
- a) That residential fire sprinklers be installed to the NFPA standard as a condition of building permit for lots 15 - 22 or an acceptable alternate solution as approved by the forestry consultant and Fire Chief ; and
- b) The area between the 2.0 m non-disturbance area and 3.0 m required setback be replanted with native vegetation prior to issuance of an Occupancy Permit;

- iii) That the applicant provides environmental monitoring reports verifying all conditions of the Development Permit DP18-0008 have been satisfied prior to issuance of the Development Variance Permit;
- iv) That the applicant conduct selective vegetation management (thinning, pruning) of the BC Hydro Right-of-way behind Lot 14 to reduce surface and ladder fuels;
- v) That the applicant remove broom along the perimeter boundary interface, under the direction of a project biologist and to the satisfaction of the Director of Planning.

CARRIED.

- d) **Application for a Development Variance Permit to reduce the required building setbacks from the front and exterior property lines to facilitate a two-lot subdivision at the property located at 2486 Jeanine Drive.**

- **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 2486 Jeanine Drive:

- a) That Section 6.21.06(3)(c) of Zoning Bylaw No. 300 be varied from the required 4.5 m to 1.31 m for the north exterior property line of proposed Strata Lot A;
- b) That Section 6.21.06(3)(c) of Zoning Bylaw No. 300 be varied from the required 5.5 m to 4.01m for the south exterior property line of proposed Strata Lot A; and
- c) That Section 6.21.06(1)(a) of Zoning Bylaw No. 300 be varied from 4.5 m to 3.07 m for the front property line of proposed Strata Lot A.

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; and
- ii) That two parking spaces shall be constructed on proposed Strata Lot A prior to subdivision approval.

CARRIED.

- e) **Application for a Temporary Use Permit at 2981 & 2985 Awsworth Road to Allow For the operation of a Truck Terminal Facility**

- **Staff Report (Planning)**

MOVED BY: COUNCILLOR BLACKWELL

SECONDED: COUNCILLOR WADE

That Council proceed with consideration of issuing a Temporary Use Permit for a period of three years at 2981 & 2985 Awsworth Road for a truck terminal facility, subject to the following terms and conditions:

- a) That applicant must, **prior to issuance**, complete the following:
- i. Remove trucks from the site and cease use of a truck terminal facility until a Development Permit has been issued by the Director of Planning or a Business License has been issued, whichever is first;
 - ii. Remove any dirt piles left in City road right of way to the satisfaction of the Director of Engineering;
 - iii. Decommission site access from Sooke Road/Highway 14 to the satisfaction of the Director of Engineering. Vehicular access to the site may only occur from Awsworth Road;
 - iv. Register a Section 219 covenant, registered in priority of all other charges on title, that agrees to the following:
 1. That the property shall only be used for a single-family dwelling until a Development Permit has been issued (or exemption if applicable) and a Business License has been issued; and
 2. That the applicant agrees to implement and maintain any and all recommendations regarding proximity to the Agricultural Land Reserve as per the Edge Plan prepared by C&F Land Resource Consultants Ltd, dated April 17, 2020.
- b) That the activities relating to the Temporary Use Permit occur outside of the Agricultural Land Reserve designated land.
- c) That they be allowed to stay a week plus one day, then be required to move.

CARRIED.

- f) **Capital Regional District Municipal Consent for Bylaw No. 4304 Liquid Waste Management Core Area and Western Communities Establishment Bylaw NO. 1, 1995, Amendment Bylaw No. 3, 2020**
- **Staff Report (Engineering)**

MOVED BY: COUNCILLOR BLACKWELL
SECONDED: COUNCILLOR SEATON

That Council consent to the CRD adopting Bylaw No. 4304, Liquid Waste Management Core Area and Western Communities Service Establishment Bylaw No. 1, 1995, Amendment Bylaw No. 3, 2020.

CARRIED.

- g) **Pre-Approval to Award Bear Mountain Parkway Ultimate Construction Contract**
- **Staff Report (Engineering)**

MOVED BY: COUNCILLOR WADE
SECONDED: COUNCILLOR SZPAK

That Council work with the Developer group responsible for constructing the ultimate road configuration of Bear Mountain Parkway from Flint Avenue to up to Marble Drive, including the construction of the roundabout at Marble Drive; and

Award the construction contract to the lowest compliant bidder subject to all funding agreements being in place and subject to the bid amount being within the project budget.

CARRIED.

h) COVID-19 and City Hall Access
- Staff Report (Legislative Services)

MOVED BY: COUNCILLOR SAHLSTROM
SECONDED: COUNCILLOR SZPAK

That Council and Committee meetings be held with Council members or Committee members in attendance in person or by electronic means, and that Council and Committee meetings be accessible to the public only by electronic means to ensure openness and continued transparency;

AND THAT the changing situation with respect to public access to City Hall and the risks to the public and City Staff is deemed to be an administrative matter and responsibility for related decisions is delegated to the CAO or their delegate for regular City business, except for public attendance at Council or Committee meetings.

CARRIED.

9. BYLAWS

a) BYLAW NO. 1891
"Road Closure Bylaw No. 1891 (2895 West Shore Parkway), 2020".
(ADOPTION)

MOVED BY: COUNCILLOR SZPAK
SECONDED: COUNCILLOR SEATON

That Council adopt Bylaw 1891.

CARRIED.

b) BYLAW NO. 1900
"City of Langford Development Procedures, Amendment Bylaw No. 19, 2020,
Bylaw No. 1900".
(ADOPTION)

MOVED BY: COUNCILLOR BLACKWELL

SECONDED: COUNCILLOR WADE

That Council adopt Bylaw 1900.

CARRIED.

c) BYLAW NO. 1901

**"Subdivision and Development Servicing Bylaw, Amendment No. 20 (Fee Schedule),
Bylaw No. 1901".**

(ADOPTION)

MOVED BY: COUNCILLOR BLACKWELL

SECONDED: COUNCILLOR WADE

That Council adopt Bylaw 1901.

CARRIED.

d) BYLAW NO. 1902

"Langford Building Bylaw No.1160, Amendment No 13, 2020, Bylaw No. 1850".

(ADOPTION)

MOVED BY: COUNCILLOR BLACKWELL

SECONDED: COUNCILLOR SZPAK

That Council adopt Bylaw 1902.

CARRIED.

e) BYLAW NO. 1911

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

(ADOPTION)

MOVED BY: COUNCILLOR BLACKWELL

SECONDED: COUNCILLOR WADE

That Council adopt Bylaw 1911.

CARRIED.

f) BYLAW NO. 1916

"Road Closure Bylaw No. 1916 (portion of Donna Avenue and Leigh Road), 2020."

(ADOPTION)

MOVED BY: COUNCILLOR WADE
SECONDED: COUNCILLOR BLACKWELL

That Council adopt Bylaw 1916.

CARRIED.

g) BYLAW NO. 1921

**"Juan de Fuca Recreation Centre (West Shore Parks & Recreation Society) Fees and Charges Bylaw 2004, Amendment No. 15, Bylaw No. 1921, 2020."
(FIRST, SECOND AND THIRD READINGS)**

MOVED BY: COUNCILLOR WADE
SECONDED: COUNCILLOR SEATON

That Council give Bylaw 1921 first, second and third readings.

CARRIED.

10. IN-CAMERA RESOLUTION

MOVED BY: COUNCILLOR BLACKWELL
SECONDED: COUNCILLOR SZPAK

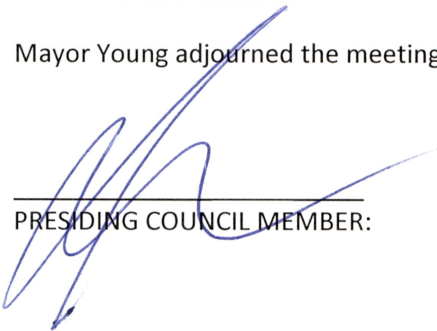
THAT Council close the meeting to the public pursuant to section 90 (1) e, g and i of the *Community Charter* to consider:

- 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;
- Litigation or potential litigation affecting the municipality
- The receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

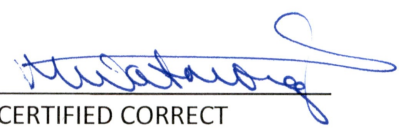
CARRIED.

11. ADJOURNMENT

Mayor Young adjourned the meeting at 7:00 pm.



PRESIDING COUNCIL MEMBER:



CERTIFIED CORRECT
Corporate Officer

Marie Watmough
Deputy Corporate Officer