

CITY OF LANGFORD
MINUTES OF THE REGULAR MEETING OF COUNCIL
Tuesday, September 6th, 2016 @ 5:30 p.m.
Council Chambers, 3rd Floor, 877 Goldstream Avenue

PRESENT

Mayor S. Young, Councillors: M Sahlstrom, L. Seaton, W. Sifert, L. Szpak and R. Wade.

ATTENDING

CAO J. Bowden, Administrative Assistant, J. Coneybeer, Director of Finance, S. Ternent, Director of Engineering, M. Mahovlich and Director of Planning, M. Baldwin.

ABSENT

Councillor D. Blackwell.

1. CALL TO ORDER

The Chair called the meeting to order at 5:34 pm.

2. APPROVAL OF THE AGENDA

MOVED BY: COUNCILLOR WADE

SECONDED: COUNCILLOR SIFERT

That Council Approve the Agenda as Presented.

CARRIED.

3. PUBLIC HEARINGS

a) BYLAW NO. 1647

"Langford Zoning Bylaw, Amendment No. 459, (Hotel Definition), 2016".

The Mayor opened the Public Hearing for Bylaw No.1647 at 5:34 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 the City of Langford wishes to amend the text of Zoning Bylaw No. 300 by amending the definition of Hotel to allow cooking facilities in each hotel unit and to waive the requirement for a hotel to contain a public restaurant/cafe where cooking facilities are included in each unit.

As part of this application, a public hearing is required in accordance with the regulations of the Local Government Act. Notifications and advertisements have been placed as required by Council policy.

The Mayor called a first time for presentations.

Mayor Young called a second time for presentations.

The Mayor called a third and final time for presentation, there being none, the Mayor officially declared the Public Hearing for Bylaw No. 1647 closed at 5:34 p.m.

b) BYLAW NO. 1648

“Langford Zoning Bylaw, Amendment No. 460, (1067, 1099, 1124 & 1164 Braeburn Ave; 3439 Ambrosia Cres), 2016”.

The Mayor opened the Public Hearing for Bylaw No. 1648 at 5:34 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 Rohan Rupf has applied on behalf of McCormick Meadows Ltd. and Sidney and Gay McCormick to amend the text and Schedule Z Map of the CD15 (McCormick Meadows) Zone.

The proposed amendments include adjustments to the amenity contributions, open space requirements, setbacks, and the number of lots that must meet certain lot width criteria.

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

In support of these/this application, the applicant has agreed to provide the following prior to Council’s consideration of Bylaw Adoption:

- a. A Section 219 covenant modification to implement the revised open space and agricultural buffer plan; and
- b. A fully executed purchase and sale agreement with regards to the 1.1 ha of land at 960 Latoria Rd.

This proposal is consistent with the Official Community Plan Hillside or Shoreline designation. Notifications and advertisements have been placed as required by Council policy.

The Mayor called a first time for presentations.

_____ – addressed Council with concerns regarding the proposed reduction of dedicated open space and how reduced open space may result in higher stormwater runoff.

Mayor Young called a second time for presentations.

The Mayor called a third and final time for presentation, there being none, the Mayor officially declared the Public Hearing for Bylaw No. 1648 closed at 5:37 p.m.

**c) BYLAW NO. 1649
“Langford Zoning Bylaw, Amendment No. 461, (2285 Bellamy Rd), 2016”.**

The Mayor opened the Public Hearing for Bylaw No. 1649 at 5:37 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 Carl-Alexander Marcoux has applied on behalf of Garderie La Vie Inc. to amend the text of the C1 (Neighbourhood Commercial) zone for 2285 Bellamy Road.

This is being proposed in order to allow 41 children in a group daycare and to permit a dance studio.

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:

1. A section 219 Covenant, registered in priority of all other charges on title, which:
 - i. Agrees to complete full frontage improvements to Bylaw 1000 standards to the satisfaction of the Director of Engineering; and
 - ii. Agrees to reconfigure the driveway access and off-street parking as per Appendix A of the Staff Report to the Planning, Zoning and Affordable Housing Committee dated July 11, 2016.

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.

Mr. Aloysius Coppens of 2351 Bellamy – addressed Council with safety concerns regarding the intersection turning left onto Bellamy from Treanor.

Mr. Carl-Alexander Marcoux, the proponent responded to Mayor Young’s question regarding hours of operation and the applicant confirmed the daycare would be open from 7:30 am – 5:30 pm.

Mayor Young called a second time for presentations.

The Mayor called a third and final time for presentation, there being none, the Mayor officially declared the Public Hearing for Bylaw No. 1649 closed at 5:42 p.m.

**d) BYLAW NO. 1650
“Langford Zoning Bylaw, Amendment No. 462, (2555 and 2559 Millstream Rd), 2016”.**

The Mayor opened the Public Hearing for Bylaw No. 1650 at 5:42 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 Jesse Friest has applied on behalf of Green Corridor Properties Inc to amend the zoning of 2555 and 2559 Millstream Rd from the R2 (One- and Two-Family Residential) Zone to the RS3 (Residential Small Lot 3) Zone.

This is being proposed in order to allow for the subdivision of one new lot.

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) \$2,772 per new lot created towards the General Amenity Reserve Fund;
- b) \$660 per new lot created towards the Affordable Housing Reserve Fund;
- 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 each dwelling will contain a 2-car garage unless a 5.5m setback to the garage face is provided;
 - ii. That full frontage improvements, including a vehicle turnaround area adjacent to the driveways, be provided to the satisfaction of the Director of Engineering prior to Subdivision Approval;
 - iii. That the dwellings will be constructed with a shared driveway access, which must include an alternate pavement surface with a minimum width of 1m extending from the shared property line;

- iv. That the garages must be used for vehicle parking, and that vehicle parking is prohibited within the driveway;
- v. That the dwellings be constructed in accordance with the plans attached to the staff report and presented at this Public Hearing;
- vi. That a construction parking management plan be provided to the satisfaction of the Director of Engineering prior to the issuance of a Building Permit; and

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.

Mayor Young called a second time for presentations.

The Mayor called a third and final time for presentation, there being none, the Mayor officially declared the Public Hearing for Bylaw No. 1650 closed at 5:45 p.m.

4. ADOPTION OF MINUTES

a) Minutes of the Regular Meeting of Council – August 15th, 2016

MOVED BY: COUNCILLOR SEATON

SECONDED: COUNCILLOR SIFERT

That Council approve the Minutes of the Regular Meeting of Council held on August 15th, 2016.

CARRIED.

5. PUBLIC PARTICIPATION

Wendy Hobbs, 3442 Luxton Road addressed Council regarding Agenda Item 10 (k).

6. TEMPORARY USE PERMIT

a) TUP16-0002 – 809 Orono Avenue

MOVED BY: COUNCILLOR SZPAK

SECONDED: COUNCILLOR WADE

That Council issue Temporary Use Permit No. TUP16-0002 by the Council for the City of Langford to Brian Smith on behalf of Jerry Oetting to allow for a Group Daycare for 25 children at 809 Orono Ave subject to the following terms and conditions:

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

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

- a) Proceed with the consideration of this Temporary Use Permit for a group daycare on the property at 809 Orono Avenue for a period of three (3) years; and
- b) Direct staff to amend the Zoning Bylaw to allow for a group daycare for 25 children in the R1 zone at 809 Orono Avenue.

CARRIED.

b) TUP16-0003 – 3010 Amy Road

MOVED BY: COUNCILLOR SIFERT

SECONDED: COUNCILLOR WADE

That Council issue Temporary Use Permit No. TUP16-0003 for the City of Langford to the City of Langford to allow the uses of the BP3 (Business Park 3 – Amy Road) Zone for the property located at 3010 Amy Rd subject to the following terms and conditions:

1. Appendix

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

2. Variances

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

- a) Direct staff to prepare a Temporary Use Permit that reinstates BP3 (Business Park 3 – Amy Road) uses to the property at 3010 Amy Road; AND
- b) Delegate authority to the Administrator to extend the Temporary Use Permit for a second three-year term, provided that the property is re-leased for a concurrent term; AND
- c) Direct the Administrator to enter into a new three-year lease with Limona Construction Ltd. that replaces the existing lease.

CARRIED.

7. DEVELOPMENT VARIANCE PERMIT

a) DVP16-0010 – 2758 Peatt Road

MOVED BY: COUNCILLOR WADE

SECONDED: COUNCILLOR SZPAK

That Council issue Development Variance Permit No. DVP16-0010 for the City of Langford to Lori Lamanes on behalf of 0891256 BC Ltd. to reduce the amount of parking required for a dance studio at 2758 Peatt Road subject to the following terms and conditions:

1. Variances

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

- a) That Section 4.01.02 of Zoning Bylaw No. 300 be varied by reducing the minimum required parking required for a dance studio from six off-street parking spaces to zero off-street parking spaces

2. Conditions

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

- I. That the group daycare and dance studio do not operate concurrently at any time.

CARRIED.

b) DVP16-0011 – 913 Latoria Road

MOVED BY: COUNCILLOR SZPAK

SECONDED: COUNCILLOR SAHLSTROM

That Council issue Development Variance Permit No. DVP16-0011 for the City of Langford to Minda C. Riley on behalf of Pritchard Creek Estates Ltd. to vary the front yard setback from the required 5.5m to 1.5m for the property located at 913 Latoria Rd subject to the following terms and conditions:

1. Appendix

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

2. Variances

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

- a) That Section 6.15.06(2) of Zoning Bylaw No. 300 be varied to reduce the rear lot line setback from the required 5.5m to 1.5m;

3. Conditions

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

- I. That the eastern interior side lot line have a setback of 5.5m
- II. That the front lot line have a setback of 3m (or 5.5m for any portion facing a garage)
- III. That the exterior side lot line have a setback of 4.5m (or 5.5m for any portion facing a garage)

CARRIED.

8. REPORTS

a) 2015 Annual Report

- **Report (Administration)**

MOVED BY: COUNCILLOR SZPAK

SECONDED: COUNCILLOR SAHLSTROM

That Council approve the 2015 City of Langford Annual Report.

CARRIED.

b) Bylaw No. 1531; Various Omnibus Amendments to Zoning Bylaw No. 300
- **Staff Report (Planning)**

MOVED BY: COUNCILLOR WADE
SECONDED: COUNCILLOR SZPAK

That Council give first reading to Bylaw No. 1531 as drafted.

CARRIED.

c) Nuisance (General) Abatement Bylaw No. 1501, 2016
- **Staff Report (Bylaw Enforcement)**

MOVED BY: COUNCILLOR SZPAK
SECONDED: COUNCILLOR SAHLSTROM

That Council give first three readings to Bylaw No. 1501 Nuisance Abatement Bylaw, 2016 with an amendment to include a definition of illegal car racing.

CARRIED.

d) Request for Licence to Occupy – Echo Valley Drive – 2309
- **Staff Report (Land Development)**

MOVED BY: COUNCILLOR SZPAK
SECONDED: COUNCILLOR SAHLSTROM

That Council:

1. Direct staff to draft a "Licence to Occupy" agreement over portions of 891 Bear Mountain Parkway (Lot A, EPP39499; PID 029-321-832) and 2320 Setchfield Ave (Lot 47, VIP74179; No PID) as shown on Attachment 4 to this report for the purpose of sewer service to 2309 Echo Valley Drive (Lot 3, EPP36433; PID 029-221-714),

AND

2. Enter into a 3.0m Licence to Occupy over portions of 891 Bear Mountain Parkway (Lot A, EPP39499; PID 029-321-832) and 2320 Setchfield Ave (Lot 47, VIP74179; No PID) as shown on Attachment 4 to this report for the purpose of sewer service to 2309 Echo Valley Drive (Lot 3, EPP36433; PID 029-221-714), provided that
 - a. A Development Permit has been considered and issued
 - b. The developer obtain approval to cross the stream channel by the Ministry of Environment;

AND

3. That as a condition of that Licence to Occupy portions of 891 Bear Mountain Parkway (Lot A, EPP39499; PID 029-321-832) and 2320 Setchfield Ave (Lot 47, VIP74179; No PID) as shown on Attachment 4 to this report for the purpose of sewer service to 2309 Echo Valley Drive (Lot 3, EPP36433; PID 029-221-714), that Council requires;

- a. That any / all trees within the service route (and adjacent to) be surveyed and assessed by an arborist prior to removal consideration,
- b. That the developer replant tree's (and shrubs) as per the replacement ratio recommended by the project biologist and to the Manager of Parks satisfaction,
- c. That the developer irrigate any newly planted trees and shrubs (2 summer periods minimum) – install irrigation to the Parks Manager satisfaction and pay all costs,
- d. That the developer (or eventual strata) be responsible for the maintenance of the works contained within the "licence to occupy" area to a point that has been mutually determined by Westshore Environmental Services and the Dir. Of Engineering as the demarcation point between private and public works,
- e. The developer Install works as approved by the Director of Engineering under the supervision of a Civil Engineer;

AND

- f. The developer re-instate the pedestrian pathway located along Setchfield Ave from the intersection of Shaw Ave to the trail bollard (located to the intersection's north along Setchfield Ave) as gravel to the satisfaction of the Parks Manager.

AND

- g. The developer work with staff on the removal of invasive plants (broom and blackberry) along the trail frontage along Setchfield Ave (for approx. 30m).

CARRIED.

9. CORRESPONDENCE

- a) **Community Living Victoria (Brock Home)**
Re: Letter of Appreciation – 2016 Mayors Charity Golf Donation

MOVED BY: COUNCILLOR SEATON

SECONDED: COUNCILLOR SAHLSTROM

That Council receive the letter of appreciation from Community Living Victoria with respect to a donation received from Mayor Golf Charity Tournament to support Brock Home.

CARRIED.

- b) **Canadian Cancer Society**
Re: Expand Scope of Smoke and Vape Free Outdoor Public Places

MOVED BY: COUNCILLOR SZPAK

SECONDED: COUNCILLOR SAHLSTROM

That Council receive the letter dated August 12, 2016 from Megan Klitch and Jenny Byford of the Canadian Cancer Society, BC and Yukon.

CARRIED.

c) Core Area Waste Water Treatment – Resolution from Special Meeting of Council
Re: Letter from Carol Hamilton, Mayor of Colwood

MOVED BY: COUNCILLOR SZPAK
SECONDED: COUNCILLOR SEATON

That Council receive the letter dated August 18, 2016 from Mayor Carol Hamilton and forward a letter to the Sewer Project Board indicating that Langford would be interested in exploring the opportunity of partnering with Colwood in the development of a Westside Sewage Treatment Plant located in Colwood subject to:

- (a) The timely selection and approval of a site in Colwood to accommodate a Westside Sewage Treatment Plant;
- (b) The project being more cost effective for Langford residents than any other proposed treatment opportunities;
- (c) The project meeting all the Federal and Provincial Sewage Treatment Plant regulatory and statutory requirements; and
- (d) The project being eligible for the agreed to Federal and Provincial grant funding for the CRD Regional Sewage Treatment Initiative.

CARRIED.

10. BYLAWS

- a) BYLAW NO. 1501**
“City of Langford Nuisance Abatement Bylaw No. 1501, 2016”.
(FIRST, SECOND AND THIRD READING)

MOVED BY: COUNCILLOR SEATON
SECONDED: COUNCILLOR SZPAK

That Council give Bylaw No. 1501 First, Second and Third Reading as amended at this evening’s meeting.

CARRIED.

- b) BYLAW NO. 1505**
“City Centre Park Fees and Charges Bylaw No. 1203, 2008, Amendment No. 1, 2016”
(ADOPTION)

MOVED BY: COUNCILLOR SAHLTTROM
SECONDED: COUNCILLOR SIFERT

That Council adopt Bylaw No. 1505.

CARRIED.

- c) BYLAW NO. 1531**
"Langford Zoning Bylaw, Amendment No. 409, (Omnibus No. 39 – Various Amendments), 2016"
(FIRST READING)

MOVED BY: COUNCILLOR SAHLSTROM
SECONDED: COUNCILLOR SIFERT

That Council give Bylaw No. 1531 First Reading.

CARRIED.

- d) BYLAW NO. 1564**
"City of Langford Business Licence and Business Regulation Bylaw, No. 1564, Amendment No. 6, 2016"
(FIRST, SECOND AND THIRD READING)

MOVED BY: COUNCILLOR SAHLSTROM
SECONDED: COUNCILLOR SIFERT

That Council give Bylaw No. 1564 First, Second and Third Reading.

CARRIED.

- e) BYLAW NO. 1595**
"City of Langford Revitalization Tax Exemption Bylaw No. 1595."
(FIRST, SECOND AND THIRD READING)

MOVED BY: COUNCILLOR SAHLSTROM
SECONDED: COUNCILLOR SIFERT

That Council give Bylaw No.1595 First, Second and Third Reading.

CARRIED.

- f) BYLAW NO. 1647**
"Langford Zoning Bylaw, Amendment No. 459, (Hotel Definition), 2016".
(SECOND AND THIRD READING)

MOVED BY: COUNCILLOR WADE
SECONDED: COUNCILLOR SAHLSTROM

That Council give Bylaw No. 1647 Second and Third Reading.

CARRIED.

- g) BYLAW NO. 1648**
**“Langford Zoning Bylaw, Amendment No. 460, (1067, 1099, 1124 & 1164 Braeburn Ave;
3439 Ambrosia Cres), 2016”.**
(SECOND AND THIRD READING)

MOVED BY: COUNCILLOR WADE
SECONDED: COUNCILLOR SEATON

That Council give Bylaw No. 1648 Second and Third Reading.

CARRIED.

- h) BYLAW NO. 1649**
“Langford Zoning Bylaw, Amendment No. 461, (2285 Bellamy Rd), 2016”.
(SECOND AND THIRD READING)

MOVED BY: COUNCILLOR SZPAK
SECONDED: COUNCILLOR SIFERT

That Council give Bylaw No. 1649 Second and Third Reading.

CARRIED.

- i) BYLAW NO. 1650**
“Langford Zoning Bylaw, Amendment No. 462, (2555 and 2559 Millstream Rd), 2016”.
(SECOND AND THIRD READING)

MOVED BY: COUNCILLOR WADE
SECONDED: COUNCILLOR SZPAK

That Council give Bylaw No. 1650 Second and Third Reading.

CARRIED.

- j) BYLAW NO. 1651**
“Road Closure Bylaw No. 1651, 2016”
(ADOPTION)

MOVED BY: COUNCILLOR WADE
SECONDED: COUNCILLOR SZPAK

That Council adopt Bylaw No. 1651.

CARRIED.

- k) BYLAW NO. 1652**
“Truck Route Bylaw No. 1477 Amendment No. 1, 2016”
(ADOPTION)

MOVED BY: COUNCILLOR SIFERT
SECONDED: COUNCILLOR SAHLSTROM

That Council adopt Bylaw No. 1652.

CARRIED.

- l) BYLAW NO. 1654**
“Procedure Bylaw No. 819, Amendment No. 1, 2016”
(ADOPTION)

MOVED BY: COUNCILLOR WADE
SECONDED: COUNCILLOR SIFERT

That Council adopt Bylaw No 1654.

CARRIED.

- m) BYLAW NO. 1655**
“City of Langford Bear Mountain Parkway Extension Local Area Service Temporary
Borrowing Bylaw No. 1655, 2016”
(ADOPTION)

MOVED BY: COUNCILLOR SAHLSTROM
SECONDED: COUNCILLOR WADE

That Council adopt Bylaw No. 1655.

CARRIED.

- n) BYLAW NO. 1656**
“Tax Exemption Non-Profit Affordable Housing Bylaw No. 1656, 2016”
(FIRST, SECOND AND THIRD READING)

MOVED BY: COUNCILLOR WADE
SECONDED: COUNCILLOR SZPAK

That Council give Bylaw No. 1656 First, Second and Third Reading.

CARRIED.

- o) **BYLAW NO. 1657**
“City of Langford Housing Agreement (798 Harrier Way) Bylaw No. 1657, 2016”.
(FIRST, SECOND AND THIRD READING)

MOVED BY: COUNCILLOR WADE
SECONDED: COUNCILLOR SAHLSTROM

That Council give Bylaw No. 1657 First, Second and Third Reading.


CARRIED.

11. ADJOURNMENT

The Chair adjourned the meeting at 6:15 pm.



PRESIDING COUNCIL MEMBER:



CERTIFIED CORRECT
City Manager