

CITY OF LANGFORD
MINUTES OF THE REGULAR MEETING OF COUNCIL
Monday, May 6th, 2019 @ 5:30 p.m.
Council Chambers, 3rd Floor, 877 Goldstream Avenue

PRESENT

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

ATTENDING

Chief Administrative Officer, D. Kiedyk; Director of Finance, M. Dillabaugh; Director of Corporate Services, B. Hutchins; Director of Planning, M. Baldwin; and Director of Engineering, M. Mahovlich.

ABSENT

Mayor Young; Councillor L. Szpak.

1. CALL TO ORDER

Acting Mayor Blackwell called the meeting to order at 5:30 pm.

2. APPROVAL OF THE AGENDA

MOVED BY: COUNCILLOR STEWART
SECONDED: COUNCILLOR SAHLSTROM

That Council approve the agenda as presented.

CARRIED.

3. ADOPTION OF COUNCIL MINUTES

a) Minutes of the Regular Meeting of Council – April 15th, 2019

MOVED BY: COUNCILLOR SEATON
SECONDED: COUNCILLOR STEWART

That Council approve the minutes of the Regular Meeting of Council held on April 15th, 2019.

CARRIED.

4. OTHER BOARD AND COMMISSION MINUTES

a) West Shore Parks and Recreation – March 14th, 2019

MOVED BY: COUNCILLOR SAHLSTROM
SECONDED: COUNCILLOR STEWART

That Council receive the minutes of the West Shore Parks and Recreation Meeting held on March 14th, 2019.

CARRIED.

5. **PUBLIC PARTICIPATION**

None.

6. **COMMITTEE RESOLUTIONS**

- a) **Administration and Finance Committee – April 23rd, 2019**
1. **Minutes of the Administration and Finance Committee Meeting– April 23rd, 2019**

MOVED BY: COUNCILLOR SAHLSTROM
SECONDED: COUNCILLOR STEWART

That Council receive the minutes of the Administration and Finance Committee meeting held on April 23rd, 2019.

CARRIED.

7. **DEVELOPMENT VARIANCE PERMIT**

- a) **TUP19-0002 – 105 & 111-945 Reunion Ave**

MOVED BY: COUNCILLOR WADE
SECONDED: COUNCILLOR SAHLSTROM

That Temporary Use Permit No. TUP19-0002 be issued by the Council for the City of Langford to The Original Farm Langford Ltd. for it to operate a Cannabis Retail Store at 105 & 111- 945 Reunion Avenue subject to the following terms and conditions:

1. Whereas:
 - 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 The Original Farm Langford Ltd.'s proposal as one that best addressed the challenges with the retail sale of cannabis and cannabis products; and,
 - G. The Original Farm Langford Ltd. is committed to assisting the City and taking positive steps to address the challenges with the retail sale of cannabis and cannabis products,

Now therefore be it resolved that Council issue Temporary Use Permit TUP19-0002 to The Original Farm Langford Ltd. for it to operate a Cannabis Retail Store at #105 & #111 – 945 Reunion Avenue subject to the terms and conditions including the stipulations outlined in the letter dated March 15, 2019 provided by the land owner/agent of the proposed location, AND THAT commencement of the TUP be subject to an occupancy permit for Units 105 & 111 - 945 Reunion Avenue being issued by the City of Langford in the Temporary Use Permit as presented.

CARRIED.

b) TUP19-0003 - 3301 Woodruff Road

MOVED BY: COUNCILLOR WADE
SECONDED: COUNCILLOR SAHLSTROM

That Temporary Use Permit No. TUP19-0003 be issued by the Council for the City of Langford to Nik Talbot to operate a firewood processing business on Lot B, Section 96&97, Metchosin District, Plan EPP69605, PID 030-095-883 (3301 Woodruff Road) for a period of three years subject to the following terms and conditions:

1. Conditions

The following requirements are imposed under Section 493 of the *Local Government Act*:

- a) The applicant provide a fire safety plan prior to issuance of the TUP.
- b) The applicant pay the City back for Road repairs on Woodruff Road at an estimated cost of \$23,000.00.
- c) The applicant provide a \$10,000.00 bond for future road repairs.
- d) The applicant provide an Erosion Control Plan to the satisfaction of the Director of Engineering.
- e) The Temporary Use Permit be issued only to Nik Talbot and not be transferred to any subsequent businesses or business owners should Nik Talbot cease to operate.

Restrictions to be followed by the proposed wood processing operation:

- a) The applicant post the civic address and provide clearly marked wayfinding to the site.

- b) The operation be located outside the SPEA.
- c) There be no open or slash burning.
- d) Access to the site be restricted (e.g. gated access) to prevent the public from entering the site to purchase firewood.
- e) The applicant implement the wildfire risk minimization strategies outlined in the attached report from Strathcona Forestry Consulting dated March 30th 2019.

CARRIED.

8. REPORTS

- a) **Participation in an Initiative to Create a Jurisdiction Specific Regulation for Mass Timber Construction**
 - **Staff Report (Building)**

MOVED BY: COUNCILLOR WADE
SECONDED: COUNCILLOR STEWART

That Council support the City of Langford's participation in the development of Jurisdictional Specific Regulations for the construction of Mass Timber Tall Buildings within Langford.

CARRIED.

- b) **2018 Draft Consolidated Financial Statements**
 - **Staff Report (Finance)**

MOVED BY: COUNCILLOR SAHLSTROM
SECONDED: COUNCILLOR STEWART

That Council approve the 2018 Audited Consolidated Financial Statements

CARRIED.

9. BYLAWS

- a) **BYLAW NO. 1837**
"City of Langford 2019-2023 Financial Plan Bylaw No. 1837, 2019".
(ADOPTION)

MOVED BY: COUNCILLOR SAHLSTROM
SECONDED: COUNCILLOR SEATON

That Council adopt Bylaw No. 1837.

CARRIED.

b) BYLAW NO. 1838
"City of Langford Tax Rates Bylaw No. 1838, 2019."
(ADOPTION)

MOVED BY: COUNCILLOR SAHLSTROM
SECONDED: COUNCILLOR STEWART

That Council adopt Bylaw No. 1838.

CARRIED.

e) BYLAW NO. 1845
"Bear Mountain Parkway Extension Parcel Tax Bylaw No. 1845, 2019".
(ADOPTION)

MOVED BY: COUNCILLOR SAHLSTROM
SECONDED: COUNCILLOR STEWART

That Council adopt Bylaw No. 1845.

CARRIED.

Councillor Stewart left the room at 5:35pm due to conflict of interest resulting from a family member's ownership of the nearby property.

c) BYLAW NO. 1840
"Langford Official Community Plan Bylaw, Amendment No. 31, (4365 West Shore Pkwy), 2019".
(FIRST READING)

MOVED BY: COUNCILLOR SAHLSTROM
SECONDED: COUNCILLOR WADE

That Council:

Give First Reading to Bylaw No. 1840 and Bylaw No. 1841 to amend the zoning of the property located at 4365 West Shore Parkway from the RM2A, RR4 and RR5 Zones to the BP2A Zone, and to amend the policy designation within the OCP for the property at 4365 West Shore Parkway from the Hillside or Shoreline to the Business or Light Industrial subject to the following:

- a. That the applicant provides, **prior to the scheduling of a Public Hearing for Bylaw Nos. 1840 and 1841**, a technical Stormwater Management memo to the satisfaction of the Director of Engineering;

- b. That the applicant provides, **prior to scheduling for the Adoption of Bylaw Nos.1840 and 1841**, a Section 219 covenant, registered in priority of all other charges on title, that agrees to the following:
 - i. That the applicant provides, prior to the issuance of a building permit, a construction management plan, to the satisfaction of the Director of Engineering;
 - ii. That the applicant provides, prior to building permit issuance, a stormwater management plan, to the satisfaction of the Director of Engineering;
 - iii. That the applicant agrees to implement the stormwater management plan and to complete any required improvements and/or upgrades to the onsite and offsite infrastructure as is necessary to facilitate proper drainage on the subject property at the applicant's expense; and
 - iv. That any necessary above ground or underground infrastructure or servicing upgrades extensions or other required servicing requirements are to be fulfilled at the applicant's expense;
- c. That Council direct staff to prepared notices of Council's intention to issue a Development Variance Permit with respect to the subject property and to include:

1. Variances

The following regulations of Subdivision and Development Servicing Bylaw No. 1000 are varied under Section 498 of the *Local Government Act*:

- a) That Section 6.1.1 and 6.1.2 of Subdivision and Development Servicing Bylaw No. 1000 be varied to allow subdivision without connecting to the municipal sanitary sewer system, subject to the following conditions:

That a covenant containing the following be registered on the title of the properties, to the satisfaction of the Director of Engineering:

- i. That the applicant design the on-site sewage disposal system to the approval of Island Health and to the satisfaction of the Chief Building Inspector prior to building permit; and
- b) That Section 8.1 of Subdivision and Development Servicing Bylaw No. 1000 be varied to allow subdivision without water supply provided by the City or CRD Water Service, subject to the following conditions:

That a covenant containing the following be registered on the title of the subject property, to the satisfaction of the Director of Engineering:

- I. That all buildings are to be connected to the City's, CRD Water, or an authorized third party distributor such as Sustainable Services Limited (SSL) water system within six (6) months of such service being extended along the frontage of the subject properties to the satisfaction of the Director of Engineering;
- II. That the owner agrees to support any future petition to extend a Public Water Service system to the subject properties;

- III. That installation of any on-site plumbing necessary to allow a Public Water Service system to be connected to each building in accordance with the *BC Building Code* and/or Subdivision and Servicing Bylaw No. 1000, is completed as part of the works and services installed on the subject properties;
- IV. That the owner prove that a well water supply for potable water is available and the proposed development meets the requirements of the City's Subdivision and Development Servicing Bylaw No. 1000 in respect of domestic water supply to the satisfaction of the Director of Engineering prior to subdivision approval;
- V. That the owner demonstrate that the water wells to be used on site will not adversely affect the water supply available to the wells on surrounding properties prior to each subdivision of lands to the satisfaction of the Approving Officer;
- VI. That each new building install a fire sprinkler system in accordance with the applicable NFPA standard, Building Bylaw No. 1160, and the current *BC Building Code* to the satisfaction of the Chief Building Inspector;
- VII. That a fire protection strategy be approved prior to each subdivision of the land to the satisfaction of the Fire Chief and Director of Engineering and be installed prior to the issuance of any Building Permits, including backup generators for any necessary pump systems;
- VIII. That prior to issuance of each building permit the applicant provide a Fire Underwriters Survey or an approved alternative demonstrating the required fire flows are available to the satisfaction of the Langford Fire Chief; and
- IX. That the variance for water requirements, Section 8.1, is permitted to create up to 10 new lots not including the 7 existing lots and is valid for a maximum of 10 years from the date of issuance. No further subdivision approvals or building permits will be issued after this date unless an adequate City or CRD Water service is available; and

- c) That Section 9.2 of Subdivision and Development Servicing Bylaw No. 1000 be varied to allow subdivision without installing underground electrical and telecommunication.

CARRIED.

MOVED BY: COUNCILLOR WADE
SECONDED: COUNCILLOR SEATON

That Council give Bylaw No. 1840 first reading.

CARRIED.

- d) **BYLAW NO. 1841**
"Langford Zoning Bylaw, Amendment No. 562, (4365 West Shore Pkwy), 2019".
(FIRST READING)

MOVED BY: COUNCILLOR SAHLSTROM
SECONDED: COUNCILLOR WADE

That Council give Bylaw No. 1841 first reading.

CARRIED.

Councillor Stewart returned to the meeting at 5:37 p.m.

- f) **BYLAW NO. 1845**
"Bear Mountain Parkway Extension Parcel Tax Bylaw No. 1845, 2019".
(ADOPTION)

MOVED BY: COUNCILLOR SAHLSTROM
SECONDED: COUNCILLOR WADE

That Council adopt Bylaw No. 1845.

CARRIED.

10. IN CAMERA RESOLUTION

MOVED BY: COUNCILLOR SAHLSTROM
SECONDED: COUNCILLOR WADE

- 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 labour relations under Section 90 (1) (c) of the Community Charter.
- b) That Council continue the meeting in closed session.

CARRIED.

11. ADJOURNMENT

Acting Mayor Blackwell adjourned the meeting at 5:45 pm.



PRESIDING COUNCIL MEMBER:



CERTIFIED CORRECT
Corporate Officer