

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

PRESENT

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

ATTENDING

Chief Administrative Officer, D. Kiedyk; Director of Finance, M. Dillabaugh; Deputy Director of Planning, L. Stohmann; Director of Engineering, M. Mahovich; Director of Corporate Services, B. Hutchins; and Manager of Legislative Services, A. Proton.

1. CALL TO ORDER

Mayor Young called the meeting to order at 5:32 pm.

2. APPROVAL OF THE AGENDA

MOVED BY: COUNCILLOR SAHLSTROM

SECONDED: COUNCILLOR WADE

That Council approve the agenda with the addition of 8b) Extension of VCMMC Parks and Boulevards & Trails Maintenance Agreements; 9g) Bylaw No. 1860 - Application to Rezone two Unaddressed Properties from RR4 (Rural Residential 4) to CD-12 to Allow for an Expansion of the CD-12 Development; and 9h) Firearms and Bow Use Bylaw No. 1452, 2013 Amendment No. 1, Bylaw No. 1875.

CARRIED.

3. PRESENTATION

**a) Carmen Driechel, Community & Indigenous Relations Manager, FortisBC
Re: Hulitan Family Services**

Carmen Driechel, Community and Indigenous Relations Manager from FortisBC thanked, Council for nominating and supporting the Hulitan Family & Community Services Society in its successful Fortis BC community investment grant.

4. PUBLIC HEARINGS

a) BYLAW NO. 1858

**"Langford Zoning Bylaw, Amendment No. 571, (582 Goldstream Ave),
Bylaw No. 1858, 2019".**

The Mayor opened the Public Hearing for Bylaw No. 1858 at 5:36 pm, and read a statement to inform those present of the public hearing procedure.

Deputy Director of Planning Leah Stohmann advised that Marwan Chatila of Copula House International Enterprises has applied on behalf of St. Anthony's Property Ltd. to rezone 582 Goldstream Avenue from Office Commercial (C5) Zone to Mixed-Use Residential Commercial (MU2) Zone.

This is being proposed in order to allow for the development of a Commercial-Medical Building and a Multi-Family Residential Building.

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. \$750 towards the Affordable Housing Fund; and
 - ii. \$2,850 towards the General Amenity Reserve Fundsubject to reductions depending on the use and height in accordance with the Affordable Housing and Amenity Contribution Policy.
- b) That the applicant provides, as a bonus for increased density, the following contributions per square metre of commercial space, prior to issuance of a building permit:
 - i. \$10.75 towards the General Amenity Reserve Fund.
- c) 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;
- d) 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 to Bylaw 1000 standards are provided to the satisfaction of the Director of Engineering prior to 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 management plan be provided prior to the issuance of a building permit, to the satisfaction of the Director of Engineering; and
 - iv. 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.

- e) That the Mixed-use Residential Commercial Zone (MU2) Zone of Langford Zoning Bylaw No. 300 be amended as follows:
 - i. By deleting the text of Section 6.56.06(1) and replacing it with, “No building or structure may have a height less than two storeys or exceed a height of fifteen storeys.

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

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

The Mayor called a first time for presentations.

Resident on Grainger Road – Asked about the change in zoning and permitted uses, height of building, impact of increased traffic, and stormwater management at the site, and expressed concern about the height of the building.

Mayor Young called a second time for presentations.

Resident on Grainger Road – Requested more information about parking during construction, timeline for construction, and whether blasting would take place during construction.

Mayor Young called a third and final time for speakers. There being none, he declared the Public Hearing for Bylaw No. 1858 closed at 5:57 p.m.

5. ADOPTION OF COUNCIL MINUTES

a) Minutes of the Regular Meeting of Council – October 7th, 2019

MOVED BY: COUNCILLOR SAHLSTROM
SECONDED: COUNCILLOR WADE

That Council approve the minutes of the Regular Meeting of Council held on October 7th, 2019.

CARRIED.

6. PUBLIC PARTICIPATION

None.

7. COMMITTEE RESOLUTIONS

- a) Planning, Zoning and Affordable Housing Committee – October 15th, 2019
 - 1. Minutes of the Planning, Zoning and Affordable Housing Committee – October 15th, 2019

MOVED BY: COUNCILLOR BLACKWELL

SECONDED: COUNCILLOR WADE

That Council approve the minutes of the meeting held on October 15th, 2019.

CARRIED.

2. Bylaw No. 1870 - Application to Rezone 894 Walfred Road from One-Family Residential (R1) to Residential Small Lot 4 (RS4) to Allow Single-Family Dwellings with Suites on Small Lots

MOVED BY: COUNCILLOR BLACKWELL

SECONDED: COUNCILLOR WADE

That Council give 1st Reading to the attached Bylaw No. 1870 to amend the zoning designation of the property located at 894 Walfred Road from One-Family Residential (R1) to Residential Small Lot 4 (RS4), subject to the following terms and conditions:

- a) That the the applicant provides, **as a bonus for increased density**, the following contributions per new lot, prior to subdivision approval:
 - i. \$660 towards the Affordable Housing Fund; and
 - ii. \$3,960 towards the General Amenity Reserve Fund.
- b) That the applicant provides, **prior to Public Hearing**, a storm water management plan prepared by a qualified engineer that verifies storm water can be adequately managed on-site and downstream, to the satisfaction of the Director of Engineering;
- c) That the applicant, **prior to Bylaw Adoption**, signs a release of the covenant that was previously registered under CA1382349, and provides a new Section 219 covenant, registered in priority of all other charges on title, that agrees to the following:
 - i. That a 3.0m wide road dedication along the length of the subject property adjoining Walfred Road is provided prior to subdivision approval;
 - ii. That all frontage improvements to Bylaw 1000 standards are provided to the satisfaction of the Director of Engineering prior to subdivision approval;
 - iii. That the improvements in the required storm water management plan be implemented to the satisfaction of the Director of Engineering prior to subdivision approval;
 - iv. That all tree protection measures and requirements listed in the tree retention plan prepared by Michael Barnabe, dated March 25th, 2009 be adhered to; and
 - v. That a statutory right of way for a temporary turnaround of a size and location to the satisfaction of the Director of Engineering be registered prior to subdivision approval.

And that Council authorize the Director of Planning to provide the following variances within the Form and Character Development Permit:

- i. To reduce the exterior side yard setback from 3.5m (11.5 ft) to 2.9m (9.5 ft) for the existing dwelling; and
- ii. To reduce the rear yard setback from 5.5m (18 ft) to 3.0m (10 ft) for the existing dwelling.

CARRIED.

3. Application to Rezone the property located at 684 Hoylake Ave from R2, One and Two Family Residential, Zone to the RM2A, Attached Housing, Zone to allow the construction of 6 townhouse units.

MOVED BY: COUNCILLOR BLACKWELL
SECONDED: COUNCILLOR WADE

That Council direct staff to prepare a bylaw to rezone the property at 684 Hoylake Avenue from the R2 (One and Two Family Residential) Zone to the RM2A (Attached Housing) Zone subject to the following terms and conditions:

- 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 per unit towards the Affordable Housing Fund; and
 - ii. \$3660 per unit towards the General Amenity Reserve Fund.
- b) That the applicant provides, **prior to Public Hearing**, the following:
 - ii. 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;
 - iii. A turning template that illustrates how motor vehicles will maneuver into the parking stalls located parallel to the driveway;
 - iv. A frontage drawing to the satisfaction of the Director of Engineering to confirm if road dedication is required to complete all required frontage improvements including boulevard landscaping, sidewalks and street lighting (if applicable).
- c) That the applicant registers, **prior to Bylaw Adoption**, a road dedication plan, if required, to the satisfaction of the Director of Engineering;
- d) 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 the developer agrees to install, or bond for, all required frontage improvements to Bylaw No. 1000 standards, including the installation of road edge parking, streetlights, and boulevard landscaping to the satisfaction of the Director of Engineering, prior to issuance of a building permit;
 - ii. That the developer agrees to install underground irrigation to the property, and that irrigation will be extended to the boulevard to the standards of Bylaw No.100 and to the satisfaction of the Director of Engineering;

- iii. That future maintenance of the boulevard landscaping will be the responsibility of the property owner(s);
 - iv. That the developer will connect and be responsible for any upgrades required to the services and utilities required for the development;
 - v. That all storm water management plan(s) be provided prior to issuance of a building permit and implemented, as per Bylaw 1000, all to the satisfaction of the Director of Engineering;
 - vi. That a construction parking management plan be provide prior to the issuance of a building permit, to the satisfaction of the Director of Engineering.
 - vii. That the required parking stalls for this development are allocated for the use by individuals in each unit and visitors, as required by Bylaw No. 300; and that parking is not separated from individual units nor provided for in exchange for compensation separate than that of the residential unit;
 - viii. That a section 219 shall be registered on each property acknowledging the nuisances that exist from the location close proximity to Western Speed Way; and
 - ix. That the developer submit the Fire Underwriters Survey (FUS) calculations prior to the issuance of a development permit to develop the property, and acknowledges that these calculations may determine different setbacks than what is prescribed in the zone or from what has been granted through variances.
- e) That Council authorize the Director of Planning to provide the following variances within a Development Permit that addresses the form and character of the development:
- i. A variance to reduce the required building setback from an interior lot line from 3 m to 2.7 m subject to the following:
 - i. That the developer install screening along the entire perimeter of the property, in accordance with the screening regulations found in Zoning Bylaw No.300;
 - ii. That the developer agrees to landscape the boulevard beyond the standards found within Bylaw No. 1000 and in consultation with a professional Landscape Architect, to the satisfaction of the Director of Planning and Parks Manager;
 - ii. A variance to reduce the required building setback from a rear lot line from 7.5 m to 5.5 m subject to the following;
 - i. That that privacy screens are installed along the rear and sides of the balconies located on the rear elevation;
 - iii. A variance to reduce the required building setback from front lot line from 5.5m to 2.6 m subject to the following:
 - i. That the applicant register a Section 219 Covenant on the property acknowledging that they will not require an encroachment agreement onto City property as a result of receiving a variance to the required building setback from the front property line;

- iv. A variance to the allowable projection limits for a front property line from 4.5 m to 1.6 m.

CARRIED.

4. Bylaw No. 1869 – A Bylaw to Rezone 2865 Carlow Road from the R2, One and Two Family Residential, to the RT1, Residential Townhouse, Zone to Allow for the construction of a 9 unit townhouse development

MOVED BY: COUNCILLOR BLACKWELL
SECONDED: COUNCILLOR WADE

That Council direct Staff to prepare a bylaw to amend the text within the RT1 (Residential Townhouse) Zone to allow for an FAR of 1.2 if the owner of the property proposed to be developed:

- a. pays to the City the amount specified in Column 4 of Table 1 of Schedule AD, prior to the issuance of a building permit.

Direct Staff to prepare a bylaw to rezone the property at 2865 Carlow Road from the R2 (One and Two Family Residential Zone) to the RT1 (Residential Townhouse) Zone subject to the following terms and conditions:

- a. That the applicant provides, as a bonus for increased density, the following contributions, per unit, prior to the issuance of a building permit to develop the property:
 - i. \$3,800 per unit towards the General Amenity Reserve Fund;
 - ii. \$1,000 per unit towards the Affordable Housing Fund.
- b. That **prior to First Reading** the applicant provides a cost estimate associated with the installation of a sidewalk beyond the Carlow Road frontage of the subject property, to the satisfaction of the Director of Engineering;
- c. 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;
 - ii. A frontage drawing to the satisfaction of the Director of Engineering to confirm if road dedication is required to complete all required frontage improvements including boulevard landscaping, sidewalks and street lighting (if applicable);
- d. That **prior to Bylaw Adoption**, the applicant dedicates, if necessary, road frontage necessary to accommodate required frontage improvements;
- e. 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:

- ii. That the developer agrees to install an extension of the sidewalk, to Bylaw No. 1000 standards, beyond the Carlow Road frontage of the subject property to the north boundary of the property at 2861 Carlow to the satisfaction of the Director of Engineering, prior to issuance of a building permit, deducting from the general amenity funds;
 - iii. That the developer agrees to install, or bond for, all required frontage improvements to Bylaw No. 1000 standards, including the installation of road edge parking, sidewalks, bike lanes, streetlights, and boulevard landscaping to the satisfaction of the Director of Engineering, prior to issuance of a building permit;
 - iv. That the developer will connect and be responsible for any upgrades required to the services and utilities required for the development;
 - v. That all storm water management plan(s) be provided prior to issuance of a building permit and implemented, as per Bylaw 1000, all to the satisfaction of the Director of Engineering;
 - vi. That a construction parking management plan be provide prior to the issuance of a building permit, to the satisfaction of the Director of Engineering.
 - vii. That the required parking stalls for this development are allocated for the use by individuals in each unit and visitors, as required by Bylaw No. 300; and that parking is not separated from individual units nor provided for in exchange for compensation separate than that of the residential unit;
 - viii. That the developer submit the Fire Underwriters Survey (FUS) calculations prior to the issuance of a development permit to develop the property, and acknowledges that these calculations may determine different setbacks than what is prescribed in the zone or from what has been granted through variances.
2. That Council authorize the Director of Planning to include a variance to reduce the required building setback from a front lot line from 3 m to 2.5 m within a form and character Development Permit, subject to the following condition:
- i. That the applicant register a Section 219 Covenant on the property acknowledging that they will not require an encroachment agreement onto City property as a result of receiving a variance to the required building setback from the front property line.

CARRIED.

8. REPORTS

- a) **Food Primary Entertainment Endorsement at Boston Pizza – 2755 Millstream Rd**
 - **Staff Report (Planning)**

MOVED BY: COUNCILLOR BLACKWELL
SECONDED: COUNCILLOR WADE

That Council inform the Liquor and Cannabis Regulation Branch that the City of Langford has no objections and will opt out of the notification for the Food Primary Entertainment Endorsement of the Boston Pizza on 2755 Millstream Rd.

CARRIED.

b) Extension of VCMC Parks and Boulevards and Trails and Maintenance Agreements
- **Staff Report (Parks)**

MOVED BY: COUNCILLOR SEATON
SECONDED: COUNCILLOR WADE

That Council extend the Parks and Boulevard Maintenance Contract and the Trails Maintenance Contract with VCMC until April 30, 2020, or until a new agreement is approved by Council.

CARRIED.

9. BYLAWS

a) BYLAW NO. 1839
"Langford Zoning Bylaw, Amendment No. 561, (801 Goldstream Ave; 2816, 2822, 2826, 2832, 2834, 2838 & 2844 Peatt Rd; 816 & 818 Hockley Ave), Bylaw No. 1839, 2019".
(ADOPTION)

MOVED BY: COUNCILLOR BLACKWELL
SECONDED: COUNCILLOR WADE

That Council adopt Bylaw No. 1839.

CARRIED.

b) BYLAW NO. 1858
"Langford Zoning Bylaw, Amendment No. 571, (582 Goldstream Ave), Bylaw No. 1858, 2019".
(SECOND AND THIRD READINGS)

MOVED BY: COUNCILLOR BLACKWELL
SECONDED: COUNCILLOR WADE

That Council give Bylaw No. 1858 second and third readings.

CARRIED.

c) BYLAW NO. 1863
“Road Closure Bylaw No. 1863, 2019” (Citation Road).”
(ADOPTION)

MOVED BY: COUNCILLOR WADE
SECONDED: COUNCILLOR BLACKWELL

That Council adopt Bylaw No. 1863.

CARRIED.

d) BYLAW NO. 1866
“City of Langford Tax Exemption Public Athletic Facility Bylaw No. 1866, 2019.”
(ADOPTION)

MOVED BY: COUNCILLOR SAHLSTROM
SECONDED: COUNCILLOR SEATON

That Council adopt Bylaw No. 1866.

CARRIED.

e) BYLAW NO. 1867
“City of Langford Permissive Tax Exemption Bylaw No. 1867, 2019.”
(ADOPTION)

MOVED BY: COUNCILLOR SAHLSTROM
SECONDED: COUNCILLOR WADE

That Council adopt Bylaw No. 1867.

CARRIED.

f) BYLAW NO. 1870
“Langford Zoning Bylaw, Amendment No. 576, (894 Walfred Rd), Bylaw No. 1870,
2019”.
(FIRST READING)

MOVED BY: COUNCILLOR WADE
SECONDED: COUNCILLOR SAHLSTROM

That Council give Bylaw No. 1870 first reading.

CARRIED.

g) BYLAW NO. 1860

"Langford Zoning Bylaw, Amendment No. 573, (PID Nos. 009-427-902 & 024-550-485), Bylaw No. 1860, 2019".

(ADOPTION)

MOVED BY: COUNCILLOR SZPAK

SECONDED: COUNCILLOR WADE

That Council adopt Bylaw No. 1860.

CARRIED.

h) BYLAW NO. 1875

"Firearms and Bow Use Bylaw No. 1452, 2013 Amendment No. 1, Bylaw No. 1875."

(FIRST, SECOND AND THIRD READINGS)

MOVED BY: COUNCILLOR SZPAK

SECONDED: COUNCILLOR BLACKWELL

That Council amend Bylaw No. 1875 by removing section 1 c) (i) Outdoors on any property greater than 2023 m2.

CARRIED.

MOVED BY: COUNCILLOR SZPAK

SECONDED: COUNCILLOR BLACKWELL

That Council give Bylaw No. 1875 first, second and third readings, as amended.

CARRIED.

10. IN CAMERA RESOLUTION

MOVED BY: COUNCILLOR BLACKWELL

SECONDED: COUNCILLOR SZPAK

- 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 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; and law enforcement, if the council considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment; under Section 90 (1) (e) (f) and (g) of the Community Charter.
- b) That Council continue the meeting in closed session.

CARRIED.

11. ADJOURNMENT

Mayor Young adjourned the meeting at 6:55 pm.



PRESIDING COUNCIL MEMBER:



CERTIFIED CORRECT
Corporate Officer