

**CITY OF LANGFORD**  
**SPECIAL MEETING OF COUNCIL**  
**Monday, December 9<sup>th</sup>, 2019 @ 6:30 p.m.**  
**Council Chambers, 3<sup>rd</sup> Floor, 877 Goldstream Avenue**

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**AGENDA**

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<b>1. <u>CALL TO ORDER</u></b>	
<b>2. <u>APPROVAL OF THE AGENDA</u></b>	
<b>3. <u>ADOPTION OF COUNCIL MINUTES</u></b>	
a) Minutes of the Regular Meeting of Council – December 2 <sup>nd</sup> , 2019	<b>2</b>
<b>4. <u>PUBLIC PARTICIPATION</u></b>	
<b>5. <u>REPORTS</u></b>	
a) Appointment to Library Board Staff Report (Administration)	<b>10</b>
<b>6. <u>BYLAWS</u></b>	
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**CITY OF LANGFORD**  
**MINUTES OF THE REGULAR MEETING OF COUNCIL**  
**Monday, December 2<sup>nd</sup>, 2019 @ 5:30 p.m.**  
**Council Chambers, 3<sup>rd</sup> Floor, 877 Goldstream Avenue**

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**PRESENT**

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

**ATTENDING**

Chief Administrative Officer, D. Kiedyk; Director of Finance, M. Dillabaugh; Director of Planning, M. Baldwin; Director of Engineering, M. Mahovlich; 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 5:31 pm.

**2. APPROVAL OF THE AGENDA**

MOVED BY: COUNCILLOR BLACKWELL

SECONDED: COUNCILLOR SEATON

That Council approve the agenda by adding Bylaw No. 1871 - Traffic Bylaw No. 33 Amendment No. 23, Bylaw No. 1871, 2019 as item 9e) and Bylaw No. 1877 - Sewer Utility Bylaw Amendment No. 3, Bylaw No. 1877, 2019 as item 9f) and renumbering accordingly; and with an on-table update for Bylaw No. 1879.

CARRIED.

**3. PUBLIC HEARINGS**

- a) **BYLAW NO. 1857**  
**"Langford Zoning Bylaw, Amendment No. 570, (684 Hoylake Ave),**  
**Bylaw No. 1857, 2019".**

The Mayor opened the Public Hearing for Bylaw No. 1857 at 5:31 pm.

Director of Planning Matthew Baldwin advised that B.T.H Construction has applied on behalf of Brant and Sandra Hoff to amend the zoning of 684 Hoylake Avenue from the R2, One- and Two-Family Dwelling Zone to the RM2A, Attached Housing, Zone.

This is being proposed in order to allow for the construction of approximately 6 townhouse units.

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:

1. \$610 per unit towards the Affordable Housing Reserve Fund;
2. \$3660 per unit towards the General Amenity Reserve Fund;

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

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

The Mayor called a first time for presentations.

None presented.

Mayor Young called a second time for presentations.

None presented.

Mayor Young called a third and final time for speakers. There being none, he declared the Public Hearing for Bylaw No. 1857 closed at 5:32 p.m.

**Councillor Wade arrived at 5:33 pm.**

- b) BYLAW NO. 1870  
"Langford Zoning Bylaw, Amendment No. 576, (894 Walfred Rd),  
Bylaw No. 1870, 2019".**

The Mayor opened the Public Hearing for Bylaw No. 1870 at 5:33 pm.

Director of Planning Matthew Baldwin advised that Rachael Sansom has applied on behalf of Tracey Johnson to amend the zoning of 894 Walfred Rd from the R1 (One-Family Residential) Zone to the RS4 (Residential Small Lot 4] Zone.

This is being proposed in order to allow for the development of approximately 14 new lots with a minimum size of 400m<sup>2</sup> (4,300 ft<sup>2</sup>) for single-family dwellings with suites.

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 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, the following:

- i. A storm water management plan from 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 provides, prior to Bylaw Adoption, a release of the existing covenant (CA1382349), and register 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.

Council has authorized the Director of Planning to issue the following variances in the Form and Character Development Permit:

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

This proposal is consistent with the Official Community Plan Hillside or Shoreline designation.

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

The Mayor called a first time for presentations.

Resident on Walfred Road – Asked for clarification on property size (2.3 acres). Stated that they do not think that the proposed density is consistent with previous Council decisions. Expressed concerns about damage to the environment.

Mayor Young called a second time for presentations.

Colwood resident – Stated that the number of units for this development has increased during the development process, and this will increase traffic and contribute to climate change, especially since there are no good public transit connections in this area. Density is negative for ecosystems and habitat, and it is better to keep existing trees and habitat than to plant new trees. Climate change should be prioritized over

affordable housing. The cost of climate change is too great, and this is our problem to address now.

Mayor Young called a third and final time for speakers. There being none, he declared the Public Hearing for Bylaw No. 1870 closed at 5:45 p.m.

**4. ADOPTION OF COUNCIL MINUTES**

**a) Minutes of the Special Meeting of Council – November 25<sup>th</sup>, 2019**

MOVED BY: COUNCILLOR BLACKWELL

SECONDED: COUNCILLOR SAHLSTROM

That Council approve the minutes of the Special Meeting of Council held on November 25<sup>th</sup>, 2019.

**5. OTHER BOARD AND COMMISSION MINUTES**

**a) West Shore Parks and Recreation – October 10<sup>th</sup>, 2019**

MOVED BY: COUNCILLOR SEATON

SECONDED: COUNCILLOR WADE

That Council receive the minutes of the West Shore Parks and Recreation held on October 10<sup>th</sup>, 2019.

CARRIED.

**6. PUBLIC PARTICIPATION**

None.

**7. COMMITTEE RESOLUTIONS**

**a) Protective Services Committee – November 26<sup>th</sup>, 2019**

**1. Minutes of the Protective Services Committee – November 26<sup>th</sup>, 2019**

MOVED BY: COUNCILLOR SZPAK

SECONDED: COUNCILLOR BLACKWELL

That Council receive the minutes of the Protective Services Committee held on November 26<sup>th</sup>, 2019.

CARRIED.

**2. West Shore RCMP Biannual Report**

MOVED BY: COUNCILLOR SZPAK  
SECONDED: COUNCILLOR SAHLSTROM

That Council receive the Biannual Report from the West Shore RCMP Detachment.

CARRIED.

**3. Update on the Westshore AVI Health Centre**

MOVED BY: COUNCILLOR SZPAK  
SECONDED: COUNCILLOR STEWART

That Council receive the update from the Westshore AVI Health Centre.

CARRIED.

**b) Parks, Recreation, Culture and Beautification Committee – November 28<sup>th</sup>, 2019**

**1. Minutes of the Parks, Recreation, Culture and Beautification Committee –  
November 28<sup>th</sup>, 2019**

MOVED BY: COUNCILLOR SEATON  
SECONDED: COUNCILLOR WADE

That Council receive the minutes of the Parks, Recreation, Culture and Beautification Committee held on November 28<sup>th</sup>, 2019.

CARRIED.

**8. REPORTS**

**a) West Shore Parks and Recreation Society 2020 Agreement Extensions  
- Staff Report (Administration)**

MOVED BY: COUNCILLOR WADE  
SECONDED: COUNCILLOR SZPAK

That Council extend the Co-Owners Agreement, the Members Agreement, and the Operating, Maintenance and Management Agreement for West Shore Parks and Recreation until February 29, 2020.

CARRIED.

**9. BYLAWS**

**a) BYLAW NO. 1852**

**"Langford Official Community Plan Bylaw, Amendment No. 32, (1000 Citation Rd and 2691 Secretariat Way), Bylaw No. 1852, 2019".**

**(ADOPTION)**

MOVED BY: COUNCILLOR BLACKWELL  
SECONDED: COUNCILLOR WADE

That Council adopt Bylaw No. 1852.

CARRIED.

**BYLAW NO. 1853**

**"Langford Zoning Bylaw, Amendment No. 566, (1000 Citation Rd and 2691 Secretariat Way), Bylaw No. 1853, 2019".**

**(ADOPTION)**

MOVED BY: COUNCILLOR BLACKWELL  
SECONDED: COUNCILLOR WADE

That Council adopt Bylaw No. 1853.

CARRIED.

**b) BYLAW NO. 1857**

**"Langford Zoning Bylaw, Amendment No. 570, (684 Hoylake Ave), Bylaw No. 1857, 2019".**

**(SECOND AND THIRD READINGS)**

MOVED BY: COUNCILLOR BLACKWELL  
SECONDED: COUNCILLOR SZPAK

That Council give Bylaw No. 1857 second and third readings.

CARRIED.

**c) BYLAW NO. 1865**

**"Indemnification Bylaw No. 1865".**

**(FIRST, SECOND AND THIRD READINGS)**

MOVED BY: COUNCILLOR WADE  
SECONDED: COUNCILLOR SAHLSTROM

That Council give Bylaw No. 1865 first, second and third readings.

CARRIED.

- d) BYLAW NO. 1870**  
**“Langford Zoning Bylaw, Amendment No. 576, (894 Walfred Rd),**  
**Bylaw No. 1870, 2019”.**  
**(SECOND AND THIRD READINGS)**

MOVED BY: COUNCILLOR SZPAK  
SECONDED: COUNCILLOR BLACKWELL

That Council give Bylaw No. 1870 second and third readings.

CARRIED.

- e) BYLAW NO. 1871**  
**“Traffic Bylaw No. 33 Amendment No. 23, Bylaw No. 1871, 2019”.**  
**(ADOPTION)**

MOVED BY: COUNCILLOR BLACKWELL  
SECONDED: COUNCILLOR WADE

That Council adopt Bylaw No. 1871.

CARRIED.

- f) BYLAW NO. 1877**  
**“Sewer Utility Bylaw Amendment No. 3, Bylaw No. 1877, 2019”.**  
**(ADOPTION)**

MOVED BY: COUNCILLOR WADE  
SECONDED: COUNCILLOR BLACKWELL

That Council adopt Bylaw No. 1877.

CARRIED.

- g) BYLAW NO. 1879**  
**“Langford City Hall Strata Property Delegation Bylaw No. 991, 2005,**  
**Amendment No. 2, Bylaw No. 1879, 2019.”**  
**(FIRST, SECOND AND THIRD READINGS)**

MOVED BY: COUNCILLOR WADE  
SECONDED: COUNCILLOR BLACKWELL

That Council give Bylaw No. 1879 first, second and third readings.



CARRIED.

**10. IN CAMERA RESOLUTION**

MOVED BY: COUNCILLOR BLACKWELL

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 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; and negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public; under Section 90 (1) (e) and (k) of the Community Charter.
  
- b) That Council continue the meeting in closed session.

CARRIED.

**11. ADJOURNMENT**

Mayor Young adjourned the meeting at 6:26 pm.

\_\_\_\_\_  
PRESIDING COUNCIL MEMBER:

\_\_\_\_\_  
CERTIFIED CORRECT  
Corporate Officer



## Staff Report to Council

**Date:** December 9, 2019  
**Department:** Administration  
**Subject:** Appointment to Library Board

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### Background and Commentary

Langford has two seats on the Greater Victoria Library Board, for one Council member and one citizen member. Council board terms are for one year, so Council must reappoint a Council member to the Greater Victoria Library Board at the end of each year.

Citizen terms are for two years, and with the resignation of the previous citizen member at the end of their term, there is a vacancy for Council to appoint a new citizen member. Christine Lervold has put her name forward to be the City of Langford citizen library representative.

### Financial Implications

None.

### Legal Implications

None.

### Options

1. THAT Council appoint Councillor Matt Sahlstrom to the Greater Victoria Library Board as the City of Langford's Council representative, for a 1-year term, ending December 2020;

THAT Council appoint Councillor Lanny Seaton to the Greater Victoria Library Board as alternate Council representative, for a 1-year term, ending December 2020;

AND THAT Council appoint Christine Lervold to the Greater Victoria Library Board as the City of Langford's citizen representative, for a 2-year term, ending December 2021.

OR

2. THAT Council decline to appoint Greater Victoria Library Board members.

Respectfully submitted,

Submitted by:	Adriana Proton, Manager of Legislative Services
Concurrence:	Braden Hutchins, Director of Corporate Services
Concurrence:	Darren Kiedyk, Chief Administrative Officer

# City of Langford

## BYLAW NO. 1865

### A Bylaw to indemnify municipal officials.

The Council of the City of Langford, in open meeting assembled, enacts as follows:

**Citation**

1. This Bylaw may be cited as “Indemnification Bylaw No. 1865”.

**Definitions**

2. In this Bylaw:

<b>CITY</b>	means the City of Langford.
<b>INDEMNIFY</b>	<p>means to pay the amounts required or incurred:</p> <ul style="list-style-type: none"> <li>a) To defend an action or prosecution brought against a person in connection with the exercise or intended exercise of the person’s powers or the performance or intended performance of the person’s duties or functions;</li> <li>b) To satisfy a judgment, award or penalty imposed in an action or prosecution referred to in paragraph a); or</li> <li>c) In relation to an inquiry under the <i>Public Inquiry Act</i>, or to another proceeding, that involves the administration of the City or the conduct of City business;</li> </ul> <p>but does not extend to a fine that is imposed as a result of a conviction for an offence, other than a strict or absolute liability offence;</p>
<b>MUNICIPAL OFFICIAL</b>	<p>means:</p> <ul style="list-style-type: none"> <li>a) A current or former member of Council;</li> <li>b) A current or former employee or officer of the City;</li> <li>c) A person who is or was a person referred to in section 738 (1) of the <i>Local Government Act [immunity for individual local public officers]</i>, but only in relation to the exercise of powers or performance of duties or functions for or on behalf of the City;</li> </ul> <p>but does not include an independent service provider, professional advisor or contractor engaged by the City from time to time on a fee for service basis;</p>

<b>WILLFUL MISCONDUCT</b>	in relation to a municipal official, includes, without limitation, willfully acting contrary to the terms and conditions of their employment or to a lawful direction or order of a superior.
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3. Any enactment referred to herein is a reference to an enactment of British Columbia and regulations thereto, as amended, revised, consolidated or replaced from time to time.

**Indemnification**

4. The City will indemnify every municipal official against an action or prosecution brought against the municipal official as a result of or relating to the performance or intended performance of their duties, including, for certainty, reasonable legal costs incurred in relation to the proceeding, if the person to be indemnified:
  - a) Promptly, after being served with any document initiating an action or prosecution or relating to an action or prosecution, delivers a copy of same to the City’s Corporate Officer;
  - b) Does not admit or assume liability, enter into a settlement, or enter a guilty plea except with the approval of Council;
  - c) Consents in writing to the City having sole discretion to appoint and instruct legal counsel, to conduct all necessary investigations, and to negotiate and settle the action or prosecution, provided that if the person believes they have an interest that is in conflict with the interest of the City the person is entitled to independent legal counsel; and
  - d) Assists in providing and securing information, evidence and witnesses, and cooperates with the City and their legal counsel in the defence of the action or prosecution.
5. Where the City indemnifies a municipal official under this Bylaw, the City will keep the municipal official apprised of the status of the action or prosecution against that person, when possible.

**Exceptions**

6. The City will not seek indemnity against a municipal official in respect of any action of the municipal official which results in a claim for damages against the City, except where a court of competent jurisdiction makes a finding that the person has been guilty of dishonesty, gross negligence, or malicious or willful misconduct.

**Severability**

7. If any portion of this Bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed and the remainder of the Bylaw is deemed valid.



**CITY OF LANGFORD**  
**BYLAW NO. 1881**

**A BYLAW TO AMEND SEWER UTILITY BYLAW No. 1600, 2016**

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The Council of the City of Langford, in open meeting assembled, enacts as follows:

1. This Bylaw may be cited as “Sewer Utility Bylaw Amendment No. 3, Bylaw No. 1881, 2020”.
2. City of Langford Sewer Utility Bylaw No. 1600, 2016 is amended as follows:
  - i) By replacing Schedule B, with Schedule B attached to this Bylaw.
3. The “City of Langford Sewer Utility Bylaw Amendment No. 3, Bylaw No. 1877, 2019” is hereby repealed.

READ a first time this <sup>th</sup> day of December, 2019.

READ a second time this <sup>th</sup> day of December, 2019.

READ a third time this <sup>th</sup> day of December, 2019.

ADOPTED this        day of January, 2020.

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Presiding Council Member

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(Certified Correct)  
CORPORATE OFFICER

**SCHEDULE B (Fee amounts in dollars)**

<b>Fee Type</b>	<b>Unit of Measure</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>
Sewer connection fee	Per inch of service pipe diameter	1500	1500	1500	1500	1500	1500
Sewer capital recovery fee	Per R2 equivalent lot	9154	9426	9706	9994	10291	10497
Incremental storage improvement fee	Per SCRF assessed	495	495	495	495	495	495
Sewer user fee	Per m <sup>3</sup> of water consumption	0.486	0.650	0.814	1.002	1.199	1.223





# City of Langford

[www.cityoflangford.ca](http://www.cityoflangford.ca)

December 9<sup>th</sup>, 2019

## **In-Camera Resolution**

- 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; the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public; under Section 90 (1) (e) (g) (i) and (k) of the Community Charter.
- b) That Council continue the meeting in closed session.