

CITY OF LANGFORD
MINUTES OF THE REGULAR MEETING OF COUNCIL
Monday, February 15th, 2010 @ 7:00 p.m.
Council Chambers, 3rd Floor, 877 Goldstream Avenue

PRESENT

Acting Mayor L. Seaton, Councillors: D. Blackwell, W. Sifert, L. Szpak and R. Wade.

ATTENDING

Administrator, Jim Bowden, Treasurer, Steve Ternent, Deputy Clerk, L. Kaercher, City Engineer, John Manson and City Planner, Matthew Baldwin.

ABSENT

Mayor S. Young and Councillors M. Sahlstrom and L. Szpak.

1. CALL TO ORDER

The Acting Mayor called the meeting to order at 7:00 p.m.

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. 1194

"Langford Zoning Bylaw, Amendment No. 245, (2732 Matson Road), 2008".

The Acting Mayor opened the Public Hearing for Bylaw No. 1194 at 7:01 p.m.

Acting Mayor Seaton 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. Acting Mayor Seaton 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 purpose of the Public Hearing was to hear from the public regarding Bylaw No. 1194 which, if adopted, would amend the zoning designation of 2732 Matson Road from R2 (One- and Two-Family Residential) Zone to the RM9 (Medium Density Apartment) Zone, and to vary Bylaw No. 300 to allow a reduction in the setback to the rear lot line in the RM9 Zone.

This is proposed in order to permit the development of approximately nineteen condominium units.

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

In support of the rezoning and variances, the applicant has agreed to provide:

1. \$2,900 per dwelling unit to the General Amenity Fund;
2. \$1,000 per dwelling unit to the City Park Fund;
3. \$500 per dwelling unit to the Affordable Housing Reserve Fund;
4. Full frontage improvements along Matson Road and Skogstad Way to City Subdivision and Servicing Bylaw standards; AND
5. Register a covenant prior to bylaw adoption ensuring following:
 - a. That the subject property will be developed in substantial accordance with the building plans submitted in this application for rezoning;
 - b. That no trees will be removed from the site prior to the issuance of a building permit;
 - c. That on-site stormwater drainage infrastructure will be maintained;
 - d. That a minimum overhead clearance of 5 m (16.4 ft) will be maintained in the passageway through the proposed building;
 - e. That City standards for fire-safety are met;
 - f. That a statutory right of way will be registered to allow City workers access to the Kershaw Canal;
 - g. That the portion of the property currently defined by Statutory Right of Way B1947 is dedicated for use as public road;

At their regular meeting held on September 2nd 2008, Langford City Council requested that the applicant redesign the proposed development to increase the amount of green space and open space around the building and to address the concerns of neighbouring property owners prior to this Public Hearing. At their September 2nd 2008 meeting, Council also requested that the applicant provide the following:

1. A hydrological assessment showing how the proposed development will sit relative to the 200-year Flood Plain Level;
2. A stormwater management plan; and,
3. A Parking management plan.

The applicant has indicated that he has met with neighbouring property owners, and that a redesigned landscape plan is currently being drafted, but it is not yet complete. He has requested that Council proceed and await a redesigned landscape plan to be submitted prior to 3rd Reading of Bylaw No. 1194.

The applicant has indicated that the proposed development will be built above the 200-year flood plain level, that he intends to dispose of all stormwater runoff onsite and that all construction parking will be provided on-site. Council may wish to secure this in a Section 219 Covenant prior to Bylaw Adoption.

At their September 2nd 2008 meeting, Council also requested that staff present comments from the Ministries of Transportation, Environment and the Federal Department of Fisheries and Oceans.

Staff have not yet received comments from the aforementioned outside bodies. However, Council may wish to proceed, as the Ministry of Transportation and Highways must approve the proposed rezoning bylaw, and the applicant will be required to apply to the Ministry of Environment for Section 9 approval under the Water Act to modify Kershaw Canal.

At their September 2nd 2008 meeting, Council also directed the City Planner to issue a variance to Zoning Bylaw No. 300 to reduce the exterior side lot line from the required 7.5 m (24.6 ft) to 1.03 m

(3.38 ft) through the development permit process as long as the Ministry of Transportation and Infrastructure has no objections.

This proposal is consistent with the Official Community Plan City Centre Designation. Notifications and advertisements have been placed as required by Council policy.

The Acting Mayor called a first time for presentations.

Mr. Malcolm Hall of 1181 Goldstream the proponent, addressed Council and provided an overview of the proposed development.

Mr. Joel Lynn of #111-937 Skogstad Way addressed Council and expressed his concern as whether the road was wide enough for a fire truck.

Acting Mayor Seaton called a second time for presentations.

Mr. Brent Archer of /109-937 Skogstad Way addressed Council with respect to the protection of the Gerry Oaks trees.

The Acting Mayor called a third and final time for presentation.

Mr. Hall addressed both Mr. Lynn`s and Mr. Archer`s concerns.

The Acting Mayor officially declared the Public Hearing for Bylaw No. 1194 closed at 7:26 p.m.

4. ADOPTION OF MINUTES

a) Minutes of the Regular Meeting of Council – February 1st, 2010

MOVED BY: COUNCILLOR WADE
SECONDED: COUNCILLOR SIFERT

That Council approve the Minutes of the Regular Meeting of Council on February 1st, 2010.

CARRIED.

5. PRESENTATION

a) Citizen Award of Merit (File No. 0290-01) - Presented by Councillor Blackwell (Chair of Protective Services)

Councillor Blackwell, Chair of Protective Services and Inspector Fisher, Officer in Charge, West Shore RCMP presented Ms. Lauren Lang with flowers and gift certificate for her outstanding act of heroism in the community.

b) Olympic Dream Give Away Tickets for Two – Ladies Slalom Alpine Skiing (File No. 8100-01)

Acting Mayor Seaton presented Ms. Jennifer Phillips with tickets for two for the Ladies Slalom Alpine Skiing event provided to the City of Langford from GamesTown2010.

6. PUBLIC PARTICIPATION

Ms. Nancy Chamberlayne of 3598 Kelly Dawn addressed Council with respect to Agenda item 8(d) Havenwood Park.

Mr. Gary Neilson of 3598 Kelly Dawn addressed Council with respect to Agenda item 8(d) Havenwood Park.

Mr. David Carroll of 3573 Kelly Dawn addressed Council with respect to Agenda item 8(d) Havenwood Park.

7. COMMITTEE RESOLUTIONS

a) **Committee of the Whole – February 8th, 2010**

1. **2010 – 2014 Five Year Financial Plan (File No. 1715-20-2010)**

MOVED BY: COUNCILLOR SIFERT
SECONDED: COUNCILLOR BLACKWELL

1. That the commercial class multiple for 2010 be set at 3.16;
2. That the 2010/2014 Five Year Financial Plan be approved in principle as presented in the staff report dated February 8, 2010; and
3. That the Treasurer prepare the City of Langford 2010-2014 Five Year Financial Plan Bylaw for consideration of initial readings at the February 15, 2010 Regular Council meeting.

CARRIED.

b) **Planning, Zoning & Affordable Housing Committee – February 8th, 2010**

1. **Application to rezone the property at 2645 Peatt Rd from R2 (One and Two-Family Residential) to RM7A (Medium Density Apartment A) in order to create approximately eight (8) residential units (File No. Z-09-18)**

MOVED BY: COUNCILLOR BLACKWELL
SECONDED: COUNCILLOR WADE

That Council:

1. Direct staff to prepare a bylaw to amend the zoning of the subject property from R2 (One- and Two-Family Residential 1) to RM7A (Medium-Density Apartment A), subject to the following terms and conditions:
 - a) That the owner agrees to provide as a bonus for increased density, the following contributions per dwelling unit prior to issuance of a building permit:
 - i) \$2,900 towards the General Amenity Reserve Fund;
 - ii) \$1,000 towards the City Park Reserve Fund; and
 - iii) \$500 towards the Affordable Housing Reserve Fund.
 - b) That prior to public hearing:
 - i) The applicant provide assurance to the satisfaction of the City Engineer that storm water can be managed as required by the current bylaws; and
 - ii) The applicant provide a revised set of plans to ensure adherence to Council's Design Guidelines and to the satisfaction of the City Planner.
 - c) That prior to adoption of any bylaw to rezone the subject property, the applicant provides a Section 219 Covenant, registered on title that agrees to the following:
 - i) That addresses will be posted at the entrance to the development (as a freestanding sign) as well as on each home;

- ii) That the applicant construct the interlocking brick pavers as shown on the site plans provided at the Public Hearing;
 - iii) That each residential unit will get 1 parking space allocated and the remaining 0.75 per unit of parking spaces are non allocated as limited common property and remain as visitor and overflow parking, and
 - iv) That the applicant provide a brick paver sidewalk along the Arncote Road frontage to meet the intended standard of Bylaw #1000 and to the satisfaction of the City Engineer.
 - v) That the applicant work with staff to determine if a crosswalk can and should be established on Peatt Road near the bus stop.
- d) That prior to final adoption of any bylaw to rezone the subject property, the applicant provide a 5 X 5 meter road dedication at the south west corner of the lot to ensure safe sight lines for vehicles; and
- 2. That as a condition of building permit, frontage improvements along Peatt Road and Arncote Avenue be provided to Subdivision and Servicing Bylaw, to the satisfaction of the City Engineer; and
 - 3. Direct the City Planner to issue the requested setback variances within the required Development Permit.

CARRIED.

c) Administration & Finance Committee – February 9th, 2010

1. Monthly Approval of Accounts Payable – Nov./Dec. 2009 & January 2010 (File No. 1880-20/AP)

MOVED BY: COUNCILLOR SIFERT
SECONDED: COUNCILLOR BLACKWELL

That Council receive the Monthly Approval of Accounts Payable for November, December 2009 and January 2010 as outlined in the staff report dated February 9th, 2010.

CARRIED.

2. Records and Information Management Policy and Bylaw (File No. 3900-1272)

MOVED BY: COUNCILLOR SIFERT
SECONDED: COUNCILLOR BLACKWELL

That Council:

- 1. Adopt the Records and Information Management Policy, and
- 2. Give necessary readings and adoption to "City of Langford Records Management Program Bylaw No. 1272, 2010".

CARRIED.

8. REPORTS

**a) Planning Department Monthly Report – January, 2010
- Staff Report (File No. 0640-30)**

MOVED BY: COUNCILLOR BLACKWELL
SECONDED: COUNCILLOR WADE

That Council receive the Planning Department Monthly Report for January 2010.

CARRIED.

**b) City Centre Park Sports Plex – Site Servicing and Site Preparation Contract
- Staff Report (File No. 6100-20 CCP – Sports Plex)**

MOVED BY: COUNCILLOR WADE
SECONDED: COUNCILLOR SIFERT

That Council approve awarding the Site Servicing and Site Preparation Contract to Draycor Construction Ltd. for an amount up to \$842,250.00.

CARRIED.

**c) Permit Request for Organized Motorcycle Ride for Dad
- Staff Report (File No. 8100-20)**

MOVED BY: COUNCILLOR SIFERT
SECONDED: COUNCILLOR BLACKWELL

That Council approve the Bylaw No. 33 Permit Application for the Motorcycle Ride for Dad on May 15th, 2010.

CARRIED.

**d) Petition Regarding Addition to Havenwood Park
- Staff Report (File No. 3900-35/Havenwood)**

MOVED BY: ACTING MAYOR SEATON
SECONDED: COUNCILLOR WADE

That Council refer the petition regarding Havenwood Park to the Parks and Recreation Committee.

CARRIED.

**e) Bylaw No. 1257 – Application to Rezone 3365 Happy Valley Road from AG1 (Agricultural 1) Zone to RM7A (Medium-Density Apartment A) Zone and to Vary Sections 6.36A.06(1), 6.36A.06(2) and 6.36A.06(5) of the Zoning Bylaw (No. 300) to Reduce the Required Setbacks to the Front, Interior Side and Rear Lot Lines to Allow for the Development of Approximately 22 Residential Townhouse Units
- Staff Report (File No. Z-09-05)**

MOVED BY: COUNCILLOR BLACKWELL
SECONDED: COUNCILLOR WADE

That Council:

1. Give first reading to Bylaw No. 1257;
2. Direct the applicant to apply for variances to Sections 6.36A.06 (5), 6.36A.06 (1) and 4.01.02 for reductions of minimum required setbacks to the rear and front lot lines, and to the minimum size of an off-street parking space respectively;
3. Require the construction of the proposed townhouse units to a minimum of “Built Green™ Bronze” standard through a Section 219 covenant, and direct the applicant further explore with staff opportunities for solar hot water heating systems and a higher standard of Built Green™ classification, and report back to Council prior the Public Hearing;
4. Secure a statutory right of way prior to rezoning for the proposed 15 m (49 ft) wide internal road for the purposes of road dedication at the time of subdivision, and require its construction to City standards via a Sec. 219 covenant, as a condition of this rezoning.

5. Require that the applicant provide the proposed turning radius information for access roads and the proposed location of fire hydrants prior to Public Hearing.

CARRIED.

- f) **Bylaw No. 1273 - Application to rezone 936 Flatman Avenue (McCormick Meadows) 57 from AG1 (Agriculture 1) to a new Comprehensive Development zone to allow for the development of approximately 501 residential units.**
- **Staff Report (File No. Z-09-24& 3900-1273)**

MOVED BY: COUNCILLOR BLACKWELL
SECONDED: COUNCILLOR WADE

That Council:

1. Consider first reading of Bylaw No. 1273;
2. That the following items are included in the Section 219 Covenant, to be registered in priority over all other charges on title prior to Bylaw Adoption:
 - a) That 940 Latoria be transferred to City ownership either concurrently with the first subdivision of the lands or within 2 years of the date of Bylaw Adoption, whichever is earliest.
 - b) That prior to issuance of a development permit, the applicant submit a tree retention plan, by an arborist, that addresses and provides recommendations to mitigate the effects of development on that portion of the property that is proposed to be dedicated as open space or for trail purposes. The tree survey and assessment shall be based on a scope of 60 feet (approximately one and half tree lengths) on either side of the public trail or to the property line, whichever is less. All trees on adjacent land shall be retained unless expressly permitted by the affected property owner. All oak, dogwood, and arbutus trees should be included in the survey in addition to all other trees over 4" dbh (diameter at breast height). Any trees that must be removed shall be replaced at a ratio of 10:1 of the same species being removed;
 - c) That prior to any subdivision of the lands, the applicant will ensure that emergency access on the existing driveway on 940 Latoria is established to the satisfaction of the Fire Chief and that a statutory right-of-way that permits emergency road access through the subject property to the driveway on 940 Latoria Road is registered on title of the subject property. This emergency access route shall be constructed to a standard acceptable to the City Engineer and Fire Chief, with suitable surface, and shall be maintained 365 days a year in perpetuity. The Emergency access shall be gated at each end to control vehicular access over this route.
 - d) That as a condition of building permit, frontage improvements be provided to the current Subdivision and Servicing Bylaw standards, to the satisfaction of the City Engineer;
 - e) That the applicant develop the subject property in accordance with the Edge Plan shown at Public Hearing.

CARRIED.

9. CORRESPONDENCE

- a) **JDF Cycle Coalition**
Re: Transit Proposal (File No. 8500-01)

MOVED BY: COUNCILLOR BLACKWELL
SECONDED: COUNCILLOR WADE

That Council refer the email dated February 4th, 2010 from JDF Cycle Coalition with respect to a Transit Proposal by Juan de Fuca Cycling Coalition to BC Transit with Langford support.

CARRIED.

b) Fort Rodd Hill and Fisgard Lighthouse
Re: Request for Funding – Canada Day (File No. 1770-01)

MOVED BY: COUNCILLOR BLACKWELL
SECONDED: COUNCILLOR WADE

That Council approve a payment of \$1,000 to the Fort Rodd Hill and Fisgard Lighthouse for the Canada Day Celebrations for the Western Communities on July 1st, 2010.

CARRIED.

c) Girl Guides of Canada
Re: 2010 Annual Hike for Hunger (File No. 0230-01)

MOVED BY: COUNCILLOR BLACKWELL
SECONDED: COUNCILLOR WADE

That Council receive the letter dated January 12TH, 2010 from Trudine Wilson, Girl Guides Straits District in the West Shore area regarding their annual Hike For Hunger and approve the route from Westshore Town Center parking lot along Attree Road to Veteran's Memorial Parkway to Station Road at the Royal Canadian Legion on February 21st, 2010, and waive the parade fee.

CARRIED.

d) Victoria & Vancouver Island Greek Community Society
Re: Financial Request (File No. 1770-01)

MOVED BY: COUNCILLOR BLACKWELL
SECONDED: COUNCILLOR SIFERT

That Council receive and file the letter dated January 22nd, 2010 from the Victoria & Vancouver Island Greek Community Society with regard to their financial request.

CARRIED.

10. BYLAWS

a) BYLAW NO. 1000 (File No. 3900-1000)
“Langford Subdivision and Development Servicing Bylaw No. 1000, 2009”.
(ADOPTION)

MOVED BY: COUNCILLOR WADE
SECONDED: COUNCILLOR SIFERT

That Council adopt Bylaw No. 1000.

CARRIED.

b) BYLAW NO. 1194
“Langford Zoning Bylaw, Amendment No. 245, (2732 Matson Road), 2008”.
(SECOND READING)

MOVED BY: COUNCILLOR WADE
SECONDED: COUNCILLOR SIFERT

That Council give Bylaw No. 1194 Second Reading.

CARRIED.

- c) BYLAW No. 1256 (File No. 3900-1256)**
“Langford Zoning Bylaw, Amendment No. 272, (3350 Happy Valley Road), 2008”.
(ADOPTION)

MOVED BY: COUNCILLOR WADE
SECONDED: COUNCILLOR BLACKWELL

That Council adopt Bylaw No. 1256.

CARRIED.

- d) BYLAW NO. 1257 (File No. 3900-1257)**
“Langford Zoning Bylaw, Amendment No. 273, (3365 Happy Valley Road), 2009”.
(FIRST READING)

MOVED BY: COUNCILLOR WADE
SECONDED: COUNCILLOR BLACKWELL

That Council give Bylaw No. 1257 First Reading.

CARRIED.

- e) BYLAW NO. 1265 (File No. 3900-1265)**
“City of Langford Ticket Information Authorization Amendment No. 11, Bylaw No. 1265, 2010”
(FIRST, SECOND AND THIRD READING)

MOVED BY: COUNCILLOR BLACKWELL
SECONDED: COUNCILLOR WADE

That Council give Bylaw No. 1265 First Reading.

CARRIED.

MOVED BY: COUNCILLOR BLACKWELL
SECONDED: COUNCILLOR WADE

That Council give Bylaw No. 1265 Second Reading.

CARRIED.

MOVED BY: COUNCILLOR BLACKWELL
SECONDED: COUNCILLOR WADE

That Council give Bylaw No. 1265 Third Reading.

CARRIED.

- f) BYLAW NO. 1268 (File No. 3900-1268)**
“Langford Zoning Bylaw, Amendment No. 278, (935 Walfred Road), 2010”.
(FIRST READING)

MOVED BY: COUNCILLOR WADE
SECONDED: COUNCILLOR BLACKWELL

That Council give Bylaw No. 1268 First Reading.

CARRIED.

**g) BYLAW NO. 1270 (File No. 3900-1270)
"Langford Zoning Bylaw, Amendment No. 279, (1018 Lomalinda Drive), 2010".
(FIRST READING)**

MOVED BY: COUNCILLOR BLACKWELL
SECONDED: COUNCILLOR WADE

That Council give Bylaw No. 1270 First Reading.

CARRIED.

**h) BYLAW NO. 1272 (File No. 3900-1272)
"City of Langford Records Management Program Bylaw No. 1272, 2010".
(FIRST, SECOND AND THIRD READING)**

MOVED BY: COUNCILLOR SIFERT
SECONDED: COUNCILLOR BLACKWELL

That Council give Bylaw No. 1272 First Reading.

CARRIED.

MOVED BY: COUNCILLOR SIFERT
SECONDED: COUNCILLOR BLACKWELL

That Council give Bylaw No. 1272 Second Reading.

CARRIED.

MOVED BY: COUNCILLOR SIFERT
SECONDED: COUNCILLOR BLACKWELL

That Council give Bylaw No. 1272 Third Reading.

CARRIED.

**i) BYLAW NO. 1273 (File No. 3900-1273)
"Langford Zoning Bylaw, Amendment No. 280, (Comprehensive Development 15 –
McCormick Meadows [CD15]), 2010".
(FIRST READING)**

MOVED BY: COUNCILLOR BLACKWELL
SECONDED: COUNCILLOR WADE

That Council give Bylaw No. 1273 First Reading.

CARRIED.

**j) BYLAW NO. 1276 (File No. 3900-1276)
“City of Langford 2010-2014 Financial Plan Bylaw No. 1276, 2010”.
(FIRST, SECOND AND THIRD READING)**

MOVED BY: COUNCILLOR SIFERT
SECONDED: COUNCILLOR WADE

That Council give Bylaw No. 1276 First Reading.

CARRIED.

MOVED BY: COUNCILLOR SIFERT
SECONDED: COUNCILLOR WADE

That Council give Bylaw No. 1276 Second Reading.

CARRIED.

MOVED BY: COUNCILLOR SIFERT
SECONDED: COUNCILLOR WADE

That Council give Bylaw No. 1276 Third Reading.

CARRIED.

11. ADJOURNMENT

The Mayor adjourned the meeting at 7:49 p.m.

MAYOR

CERTIFIED CORRECT
Clerk-Administrator