

CITY OF LANGFORD
MINUTES OF THE REGULAR MEETING OF COUNCIL
Monday, June 21st, 2010 @ 7:00 p.m.
Council Chambers, 3rd Floor, 877 Goldstream Avenue

PRESENT

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

ATTENDING

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

ABSENT

Mayor S. Young.

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 SAHLSTROM
SECONDED: COUNCILLOR WIFERT

That Council approve the Agenda as presented.

CARRIED.

3. PUBLIC HEARING

a) BYLAW NO. 1188 (File No. 3900-1188)
"Langford Zoning Bylaw, Amendment No. 242, (685 Fairway Avenue), 2008".

The Acting Mayor opened the Public Hearing for Bylaw No. 1188 at 7:00 p.m.

Acting Mayor Szpak 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 purpose of the Public Hearing was to hear from the public regarding Bylaw No. 1188 which, if adopted, would amend the zoning designation of 685 Fairway Avenue from R2 (One- and Two-Family Residential) to RS3 (Residential Small Lot 3) and MU1A (Mixed Use Residential Commercial A) to allow the development of a single family dwelling and two live-work units.

In support of the rezoning, the applicant has agreed to provide the following contributions per unit:

1. \$2,900 toward the General Amenity Reserve Fund;
2. \$1,000 toward the City Park Reserve Fund;
3. \$500 toward the Affordable Housing Reserve Fund; and
4. \$500 toward improvement of the Goldstream Avenue and Aldwynd Road intersection.

In addition, the applicant has agreed to provide two pedestrian crossings, on Aldwynd Road and Fairway Avenue.

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.

Acting Mayor Szpak called a second time for presentations.

The Acting Mayor called a third and final time for presentation, there being none, the Acting Mayor officially declared the Public Hearing for Bylaw No. 1188 closed at 7:02 p.m.

4. ADOPTION OF MINUTES

a) Minutes of the Regular Meeting of Council – June 7th, 2010

MOVED BY: COUNCILLOR SAHLSTROM
SECONDED: COUNCILLOR SIFERT

That Council approve the Minutes of the Regular Meeting of Council on June 7th, 2010.

CARRIED.

5. RECEIPT OF OTHER BOARD AND COMMISSION MINUTES

a) West Shore Parks & Recreation – April 8th & May 20th, 2010

MOVED BY: COUNCILLOR SEATON
SECONDED: COUNCILLOR WADE

That Council receive the Minutes of the West Shore Parks & Recreation Committee of April 8th and May 20th, 2010.

CARRIED.

6. PUBLIC PARTICIPATION

There was no public participation.

7. COMMITTEE RESOLUTIONS

a) Planning, Zoning & Affordable Housing Committee – June 15th, 2010

1. Planning Department Monthly Reports – March, April and May, 2010 (File No.0640-30)

MOVED BY: COUNCILLOR BLACKWELL

SECONDED: COUNCILLOR SIFERT

That Council receive the Planning Department Monthly Reports for March, April and May, 2010

CARRIED.

2. Application to amend the text of the AG1 (Agriculture 1) Zone in order to permit a 2-lot subdivision at 3420 Luxton Road (File No. Z-10-07)

MOVED BY: COUNCILLOR BLACKWELL

SECONDED: COUNCILLOR SIFERT

That Council give 1st Reading to Bylaw No. 1290, which will amend the text of the AG1 (Agriculture 1) zone by inserting a new 1.3 ha (3.2ac) minimum lot size applicable only to 3420 Luxton Road.

CARRIED.

3. Application to amend the P1 (Neighbourhood Institutional) zone at 911 Jenkins Avenue to allow for the development of a six storey building that would contain a 157 unit Assisted Living Apartment and a 257m2 (2,766ft2) Church (File No. Z-09-22)

MOVED BY: COUNCILLOR BLACKWELL

SECONDED: COUNCILLOR SIFERT

That Council:

1. Direct staff to prepare a bylaw to amend the P1 (Neighborhood Institutional) zone of 911 Jenkins Avenue to include an assisted living apartment as a permitted use, 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 demonstrate the required Road Dedications to the satisfaction of the City Engineer;
 - ii) The applicant provide assurance to the satisfaction of the City Engineer that storm water can be managed as required by Bylaw #1000;
 - iii) The applicant provide a revised set of coloured architectural plans to ensure general adherence to Council's Multi-Family Design Guidelines to the satisfaction of the City Planner;

- iv) That the Fire Department concerns of additional smoke barrier doors and a 'fire fighter's elevator' be addressed to the satisfaction of the Fire Chief;
 - v) That the applicant provide a tree retention plan, prepared by a certified arborist;
 - vi) That the applicant provide a shadow study for the proposed new building showing how it may shadow neighbouring properties;
 - vii) That the applicant provide a construction parking management plan; and
 - viii) That the applicant provide a landscape plan prepared by a registered Landscape Architect;
- 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 the applicant will complete or bond for all frontage improvements prior to issuance of a Building Permit as per the requirements of Bylaw # 1000, and to the satisfaction of the City Engineer;
 - ii) That prior to issuance of a Building Permit, the applicant provide a stormwater management plan, including such infrastructural upgrades as replacement, preservation or upgrading of the system at the north west corner of the subject parcel to the satisfaction of the City Engineer;
 - iii) That prior to issuance of a Building Permit, the applicant demonstrate fire truck turning radius vehicle movements from the entranceway on Avril Road through to Jenkins Road;
 - iv) That the applicant constructs the works recommended in the Traffic Impact Assessment prepared by Boulevard Transportation Group (in bullets shown below) dated April 30th, 2010 and that these works are constructed prior to issuance of an Occupancy Permit and will be bonded for as a part of the frontage requirements;
 - A raised median on Jacklin Road along the left turn gore (See figure 12 for short term improvements Boulevard Report dated April 30th, 2010).
 - Contribute to extension of the eastbound left turn lane at Jacklin Road/Jenkins Avenue (30m of storage is required);
 - Provide 2.2m of property along Jacklin Road to accommodate a future additional through lane
 - The existing on-street parking on the Jenkins Avenue frontage should be eliminated and no on-street parking provided along the development frontage due to the proximity to the intersection. In the long term, at Jacklin Road/Jenkins Avenue, the City will be required to add a second southbound thru land and protected/permitted left turn phases.
 - v) That this development is only permitted Right In, Right Out Access off of Jacklin Road and also Jenkins Avenue and that the Jenkins Avenue Driveway requires Right In, Right Out Signage; and
 - vi) That the form and character of the development will be as shown at Public Hearing and that the tree retention plan, landscape plan and construction parking management plans will be completed and/or executed as shown at public hearing as a condition of building permit, and that Council accepts this in lieu of a form and character Development Permit;

d) That prior to final adoption of any bylaw to rezone the subject property, the applicant provide the required road dedication; and

2. Proceed with consideration of the following Variances for 911 Jenkins Avenue:
 1. That Section 6.80.05 of Zoning Bylaw No. 300, be varied to increase the maximum permitted height from 12m (39ft) to not more than six storey's;
 2. That Section 6.80.06(1) of Zoning Bylaw No. 300, be varied to reduce the distance of a building to an exterior side lot line from the required minimum of 7.5m (25ft) to 4m (13ft); and
 3. That Section 6.80.06(1) of Zoning Bylaw No. 300, be varied to reduce the distance of a building to a front lot line from the required minimum of 7.5m (25ft) to 2m (6.5ft).

CARRIED.

8. REPORTS

- a) Happy Valley and Firehall Creek Channel Storm Sewer Improvements
- Staff Report (File No.5330-20)**

MOVED BY: COUNCILLOR SEATON
SECONDED: COUNCILLOR SALSTROM

That Council:

1. Direct staff to award the Firehall Creek Channel Improvement project to the lowest bidder assuming the bidder is within the project budget; and
2. Direct staff to award the Happy Valley Road Storm Drain Extension project to the lowest bidder assuming the bidder is within the project budget.

CARRIED.

- b) Selection of Architectural Services for the City Centre Park Sportsplex
- Staff Report (File No. 6100-20)**

MOVED BY: COUNCILLOR SEATON
SECONDED: COUNCILLOR WADE

That Council:

- a) Hire Vic Davies Architect (2003) Ltd. for architectural services for the Sportsplex project; and
- b) proceed with tendering the construction when the construction documents are ready; and
- c) authorize Mayor and Clerk to award the tender to the lowest valid (meeting all tender requirements) tender if within budget.

CARRIED.

- c) **City of Langford 2009 Annual Report (can be viewed at City Hall or on website at www.cityoflangford.ca)**
- **Staff Report (File No. 0645-20)**

MOVED BY: COUNCILLOR BLACKWELL
SECONDED: COUNCILLOR SIFERT

That Council receive the 2009 City of Langford Annual Report.

CARRIED.

9. **CORRESPONDENCE**

- a) **Capital Regional District**
Re: CRD Regional Parks Land Acquisition Fund – Summary of 2009 Acquisitions
(File No. 0400-50 CRD)

MOVED BY: COUNCILLOR BLACKWELL
SECONDED: COUNCILLOR SEATON

That Council receive the correspondence and bulletins of June 8, 2010 from Geoff Young, Board Chair, CRD with respect to CRD Regional Parks' Land Acquisition Fund – Summary of 2009 Acquisitions.

CARRIED.

10. **BYLAWS**

- a) **BYLAW NO. 1188 (File No. 3900-1188)**
"Langford Zoning Bylaw, Amendment No. 242, (685 Fairway Avenue), 2008".
(SECOND AND THIRD READING)

MOVED BY: COUNCILLOR BLACKWELL
SECONDED: COUNCILLOR SAHLSTROM

That Council give Bylaw No. 1188 Second and Third Reading.

CARRIED.

- b) **BYLAW NO. 1231 (File No. 3900-1231)**
"Langford Zoning Bylaw, Amendment No. 265, (Text Amendment to the Comprehensive Development 8 - Valley View [CD8] Zone), 2009".
(RESCIND THIRD, SECOND AND FIRST READING AND GIVE FIRST READING AS AMENDED)

MOVED BY: COUNCILLOR BLACKWELL
SECONDED: COUNCILLOR SAHLSTROM

That Council rescind Third, Second and First Reading of Bylaw No. 1231.

CARRIED.

MOVED BY: COUNCILLOR BLACKWELL
SECONDED: COUNCILLOR SAHSTROM

That Council give Bylaw No. 1231 First Reading as amended.

CARRIED.

- c) BYLAW NO. 1285 (File No. 3900-1295)**
"City of Langford Housing Agreement (951 Walfred Road) Bylaw No. 1285, 2010".
(ADOPTION)

MOVED BY: COUNCILLOR BLACKWELL
SECONDED: COUNCILLOR WADE

That Council adopt Bylaw No. 1285.

CARRIED.

- d) BYLAW NO. 1287 (File No. 3900-1287)**
"City of Langford Sign Bylaw, Amendment No. 1, (Sandwich Board Signs Within the Boulevard), 2010".
(ADOPTION)

MOVED BY: COUNCILLOR WADE
SECONDED: COUNCILLOR SIFERT

That Council adopt Bylaw No. 1287.

CARRIED.

- e) BYLAW NO. 1288 (File No. 3900-1288)**
"Traffic Bylaw No. 33, 1995; Amendment No. 16, 2010".
(ADOPTION)

MOVED BY: COUNCILLOR WADE
SECONDED: COUNCILLOR SIFERT

That Council adopt Bylaw No.1288.

CARRIED.

- f) BYLAW NO. 1290 (File No. 3900-1290)**
"Langford Zoning Bylaw, Amendment No. 285, (3420 Luxton Road – AG1 Text Amendment), 2010".
(FIRST READING)

MOVED BY: COUNCILLOR BLACKWELL
SECONDED: COUNCILLOR SIFERT

That Council give Bylaw No. 1290 First Reading.

CARRIED.

- g) BYLAW NO. 1291 (File No. 3900-1291)**
"Multi Utility Bylaw No. 1291, 2010".
(ADOPTION)

MOVED BY: COUNCILLOR WADE
SECONDED: COUNCILLOR SIFERT

That Council adopt Bylaw No. 1291.

CARRIED.

11. 'IN CAMERA' RESOLUTION

MOVED BY: COUNCILLOR BLACKWELL
SECONDED: COUNCILLOR SIFERT

- 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 New Service, Property Acquisition and Litigation under section 90 (1) (k) (e) and (g) of the Community Charter.
- b) That Council continues the meeting in closed session.

CARRIED.

12. ADJOURNMENT

The Acting Mayor adjourned the meeting at 7:07 p.m.

MAYOR

CERTIFIED CORRECT
Administrator