

**CITY OF LANGFORD**  
**MINUTES OF THE REGULAR MEETING OF COUNCIL**  
**Monday, June 7<sup>th</sup>, 2010 @ 7:00 p.m.**  
**Council Chambers, 3<sup>rd</sup> Floor, 877 Goldstream Avenue**

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**PRESENT**

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

**ATTENDING**

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

**1. CALL TO ORDER**

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

**2. APPROVAL OF THE AGENDA**

MOVED BY: COUNCILLOR SIFERT  
SECONDED: COUNCILLOR BLACKWELL

That Council approve the Agenda as presented.

CARRIED.

**3. PUBLIC HEARING**

**a) BYLAW NO. 1257 (File No. 3900-1257)**  
**"Langford Zoning Bylaw, Amendment No. 273, (3365 Happy Valley Road), 2009".**

The Mayor opened the Public Hearing for Bylaw No. 1257 at 7:00 p.m.

Mayor Young 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. 1257 which, if adopted, would amend the zoning designation of 3365 Happy Valley Road from AG1 (Agricultural 1) Zone to the RM7A (Medium-Density Apartment A) Zone to allow the development of approximately 22 residential townhouse 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, the applicant has agreed to provide the following as a bonus for increased density:

1. \$6,300 per dwelling unit to the General Amenity Reserve Fund;

2. \$2,500 per dwelling unit to the City Park Fund;
3. \$500 per dwelling unit to the Affordable Housing Reserve Fund;
4. A cash payment equal to the estimated post-rezoning value of 10% of the total area of the subject property to the satisfaction of the City Administrator.
5. A Sec. 219 covenant in priority over all other charges on title that agrees to the following:
  - i. That the layout, form and character of the proposed development not be significantly altered from what is proposed at the time of this Public Hearing;
  - ii. That no trees be removed from the subject property prior to the issuance of a development permit;
  - iii. That the portion of the subject property located within 5m of its boundary with Happy Valley Road be provided to the City for the purposes of road dedication;
  - iv. That a statutory right of way across the proposed open space area to allow for the future construction of a City managed trail;
  - v. That \$23,266.86 be contributed to the South Langford Storm Drainage Fund;
  - vi. That the proposed townhouses be built to a minimum "Built Green™" Bronze standard;
6. A detailed landscape plan and a fence along the southerly property to the satisfaction of the City Planner;
7. Full frontage improvements along the portion of Happy Valley Road that is adjacent to the subject property;
8. A statutory right of way for the proposed 15 m (49ft) wide internal access road for the purposes of road dedication, and a Sec. 219 covenant requiring its construction to City standards as a condition of this rezoning;

The Applicant has submitted a landscape plan, turning radius information for access roads and the proposed location of fire hydrants.

Council had also required that the applicant provide a Sec. 219 covenant requiring the construction of two lockable covered bicycle parking areas capable of storing 22 bicycles. The applicant has submitted to staff that due to site constraints, he would instead like to propose covenanting that lockable bicycle racks will be installed in every townhouse carport, which would be capable of storing 44 bicycles.

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

The Mayor called a first time for presentations.

Mayor Young called a second time for presentations.

The Mayor called a third and final time for presentation, there being none, the Mayor officially declared the Public Hearing for Bylaw No. 1257 closed at 7:02 p.m.

#### **4. ADOPTION OF MINUTES**

##### **a) Minutes of the Regular Meeting of Council – May 17<sup>th</sup>, 2010**

MOVED BY: COUNCILLOR SEATON  
SECONDED: COUNCILLOR WADE

That Council approve the Minutes of the Regular Meeting of Council on May 17<sup>th</sup>, 2010.

CARRIED.

## 5. PUBLIC PARTICIPATION

There was no public participation.

## 6. DEVELOPMENT VARIANCE PERMIT

### a) **DVP-10-07 2945 Jacklin Road**

MOVED BY: COUNCILLOR SZPAK  
SECONDED: COUNCILLOR BLACKWELL

That Council issue Development Variance Permit No. DVP-10-07 2945 Jacklin Road to Fariba Gharaei of Urban Design Group Architects Ltd. on behalf of BCIMC Realty Corporation to vary the parking requirements to allow a 2,415 m<sup>2</sup> (26,000 ft<sup>2</sup>) multi-screen cinema at 900-2945 Jacklin Road subject to the following variance and conditions:

#### 1. Appendices

The site shall be developed in substantial accordance with the site plan attached (Appendix DVP-10-07A).

#### 2. Variances

The following regulations of Zoning Bylaw No. 300 are varied under Section 922 of the Local Government Act:

- a) That Section 4.01.01 is varied by reducing the number of required parking spaces from 2,093 to 2,006 for the entire property.

#### 3. Conditions

- a) That the northbound approach to the side street accesses be signed with "Do Not Block Intersection" signs and paint markings applied to define the area that is to remain clear;
- b) That additional way-finding signs be strategically placed on site to encourage the balanced use of site egress points to further alleviate queuing observed at the Phipps Road / Langford Parkway intersection;
- c) That raised curb barriers be constructed to formalize areas where access in the vicinity of the proposed cinema is deemed unstructured;
- d) That the existing internal southbound stop sign along Phipps Road be removed in favour of improved access control;
- e) That pedestrian crossing signs be added to the major crosswalk location on Phipps Road, north of CRU W, currently occupied by Royal Bank;
- f) That a new pedestrian pathway (2.5m width) be constructed on the north side of the Jacklin Road driveway access in order to connect Jacklin Road to the proposed cinema;
- g) That a raised crosswalk be constructed, with associated signage on the Jacklin Road driveway access immediately west of the proposed relocated access aisle;
- h) That the existing pedestrian pathway linking Jacklin Road to the Cinema site is upgraded, including installation of appropriate lighting along the path; and
- i) That a contribution of \$15,000 be made, at the time of building permit, toward the General Amenity Reserve Fund.

#### 4. General

That the City Planner may, if necessary, make a further variance to Section 4.01.01 of Zoning Bylaw No. 300 to reduce the amount of required on-site parking to accommodate adequate access to the proposed cinema for firefighting apparatus via the terms of a development permit.

CARRIED.

#### **b) DP-10-17 1064 Jenkins Avenue**

MOVED BY: COUNCILLOR SZPAK  
SECONDED: COUNCILLOR BLACKWELL

That Council issue Development Permit No. DP-10-17 1064 Jenkins Avenue to Ryan Young on behalf of TREL Developments Ltd. for construction of a detached duplex at 1064 Jenkins Avenue subject to the following variances and conditions:

##### 1) Appendices

The site shall be developed in accordance with the site plan attached (Appendix DVP-10-17A).

##### 2) Variances

The following regulation of Zoning Bylaw No. 300 is varied under Section 922 of the *Local Government Act*.

- a) That Section 6.21.06(4) is varied by reducing the minimum setback from an interior lot line for a two-family dwelling from the required 3 m (9.8 ft) to 1.5 m (4.9 ft).

The following regulation of Subdivision, Development and Servicing Bylaw No. 1000 is varied under Section 922 of the *Local Government Act*.

- b) That Section 6.1.1 is varied to allow development without a connection to a municipal sanitary sewer.

##### 3) Conditions

That a statutory covenant be registered on the title of the subject property to the satisfaction of the City Engineer, which would require the connection of the proposed detached duplex units to the municipal sanitary sewer system and the decommissioning of the on-site sewer disposal systems within six (6) months of sewer service being extended along Jenkins Avenue.

CARRIED.

#### 7. REPORT

##### **a) Planning Department Monthly Report – May 2010 - Staff Report (File No. 0640-30 P)**

MOVED BY: COUNCILLOR BLACKWELL  
SECONDED: COUNCILLOR SZPAK

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

CARRIED.

**b) Building Inspection Department Monthly Report – May 2010  
- Staff Report (File No. 0640-30 B)**

MOVED BY: COUNCILLOR BLACKWELL  
SECONDED: COUNCILLOR SEATON

That Council receive the Building Inspection Department Monthly Report for May 2010.

CARRIED.

**c) Strata Title Conversion Application for an Attached Duplex - 2956 & 2968  
Glen Lake Road  
- Staff Report (File No. 3320-19 2010-05, 2956 & 2968 Glen Lake Road)**

MOVED BY: COUNCILLOR SZPAK  
SECONDED: COUNCILLOR BLACKWELL

That Council approve the Strata Title Conversion for 2956 & 2958 Glen Lake Road and authorize the City of Langford authorized signatories to sign the plan when the following conditions have been completed:

- i. A registered architect confirms the dwelling complies with municipal bylaws and the Building Code to the satisfaction of the Chief Building Inspector;
- ii. A Section 219 Covenant be registered on the subject lot which requires the dwelling units to connect to municipal sewer within 1-year when the possibility of connecting to the main becomes available; and
- iii. Each dwelling unit connects to a septic tank that services their unit only.

CARRIED.

**d) Bylaw Nos. 1287 and 1288 – Omnibus Bylaws to Amend Sign Bylaw No. 1250  
and Traffic and Highway Use Bylaw No. 33 with respect to Sandwich Board  
Signage  
- Staff Report (File No. 3900-20-1250 and 3900-20-0033)**

MOVED BY: COUNCILLOR SZPAK  
SECONDED: COUNCILLOR WADE

That Council consider first three readings of Bylaws Nos. 1287 and 1288 Omnibus Bylaws to Amend Sign Bylaw No. 1250 and Traffic and Highway Use Bylaw No. 33 with respect to Sandwich Board Signage.

CARRIED.

**e) Strata Title Conversion Application for a Detached Duplex - 926 & 928 Rowils  
Crescent  
- Staff Report (File No. 3320-19 10-07, 926 & 928 Rowils Crescent)**

MOVED BY: COUNCILLOR BLACKWELL  
SECONDED: COUNCILLOR SZPAK

That Council approve the Strata Title Conversion for 926 & 928 Rowils and authorize the City of Langford authorized signatories to sign the plan when the following conditions have been completed:

- i. A registered architect confirms the dwelling complies with municipal bylaws and the Building Code to the satisfaction of the Chief Building Inspector.

CARRIED.

**8. CORRESPONDENCE**

- a) **West Shore Parks and Recreation Society**  
**Re: Audited Financial Statements, Yr. Ending Dec. 31, 2009 (File No. 0230-20/WSPR)**

MOVED BY: COUNCILLOR SEATON  
SECONDED: COUNCILLOR WADE

That Council receive the West Shore Parks and Recreation Society Audited Financial Statements, year ending December 31<sup>st</sup>, 2009.

CARRIED.

**9. BYLAWS**

- a) **BYLAW NO. 1257 (File No. 3900-1257)**  
**"Langford Zoning Bylaw, Amendment No. 273, (3365 Happy Valley Road), 2009".**  
**(SECOND AND THIRD READING)**

MOVED BY: COUNCILLOR WADE  
SECONDED: COUNCILLOR BLACKWELL

That Council give Bylaw No. 1257 Second and Third Reading.

CARRIED.

- b) **BYLAW NO. 1274 (File No. 3900-1274)**  
**"City of Langford Housing Agreement (935 Walfred Road) Bylaw No. 1274, 2010".**  
**(ADOPTION)**

MOVED BY: COUNCILLOR SIFERT  
SECONDED: COUNCILLOR BLACKWELL

That Council adopt Bylaw No. 1274.

CARRIED.

- c) **BYLAW NO. 1279 (File No. 3900-1279)**  
**"Langford Zoning Bylaw, Amendment No. 282, (2645 Peatt Road), 2010".**  
**(FIRST READING)**

MOVED BY: COUNCILLOR WADE  
SECONDED: COUNCILLOR BLACKWELL

That Council give Bylaw No. 1279 First Reading.

CARRIED.

- d) BYLAW NO. 1285 (File No. 3900-1295)**  
**“City of Langford Housing Agreement (951 Walfred Road) Bylaw No. 1285, 2010”.**  
**(FIRST, SECOND, AND THIRD READING)**

MOVED BY: COUNCILLOR BLACKWELL  
SECONDED: COUNCILLOR WADE

That Council give Bylaw No. 1285 First, Second and Third Reading.

CARRIED.

- e) BYLAW NO. 1287 (File No. 3900-1287)**  
**“City of Langford Sign Bylaw, Amendment No. 1, (Sandwich Board Signs Within the Boulevard), 2010”.**  
**(FIRST, SECOND AND THIRD READING)**

MOVED BY: COUNCILLOR WADE  
SECONDED: COUNCILLOR SIFERT

That Council give Bylaw No. 1287 First, Second and Third Reading.

CARRIED.

- f) BYLAW NO. 1288 (File No. 3900-1288)**  
**“Traffic Bylaw No. 33, 1995; Amendment No. 16, 2010”.**  
**(FIRST, SECOND AND THIRD READING)**

MOVED BY: COUNCILLOR SEATON  
SECONDED: COUNCILLOR WADE

That Council give Bylaw No. 1288 First, Second and Third Reading.

CARRIED.

- g) BYLAW NO. 1289 (File No. 3900-1289)**  
**“Juan de Fuca Recreation Centre Fees and Charges Bylaw Amendment No. 6 Bylaw No. 1289, 2010”.**  
**(FIRST, SECOND AND THIRD READING)**

MOVED BY: COUNCILLOR SEATON  
SECONDED: COUNCILLOR WADE

That Council give Bylaw No. 1289 First, Second and Third Reading.

CARRIED.

- h) BYLAW NO. 1291 (File No. 3900-1291)**  
**“Multi Utility Bylaw No. 1291, 2010”.**  
**(FIRST, SECOND AND THIRD READING)**

MOVED BY: COUNCILLOR BLACKWELL  
SECONDED: COUNCILLOR SAHLSTROM

That Council give Bylaw No. 1291 First, Second and Third Reading.

CARRIED.

**10. '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 and Property Acquisition under section 90 (1) (k) and (e) of the Community Charter.
- b) That Council continues the meeting in closed session.

CARRIED.

**11. ADJOURNMENT**

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

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MAYOR

\_\_\_\_\_  
CERTIFIED CORRECT  
Administrator