



MINUTES OF A REGULAR COUNCIL MEETING

Monday, November 21, 2022

At 3:00 p.m.

Remote Video / Teleconference

- Present: Mayor Pachal
Councillor Albrecht
Councillor James
Councillor Mack
Councillor Wallace
Councillor White
- Absent: Councillor Solyom
- Staff Present: F. Cheung, Chief Administrative Officer
R. Bomhof, Director of Engineering, Parks and Environment
K. Hilton, Director of Recreation, Culture and Community Services
C. Johannsen, Director of Development Services
S. Kennedy, Fire Chief
D. Leite, Director of Corporate Services
R. Beddow, Deputy Director of Development Services
H. Gill, Manager of Engineering Services
K. Kenney, Corporate Officer
A. Metalnikov, Planner
B. Zeller, Manager of Human Resources

Mayor Pachal began by acknowledging that the land on which we gather is the traditional unceded territory of the Katzie, Kwantlen, Matsqui and Semiahmoo First Nations.

1. **ADOPTION OF AGENDA**

It was MOVED and SECONDED

THAT the November 21, 2022 regular council meeting agenda be adopted as circulated.

CARRIED

2. COMMITTEE OF THE WHOLE

It was MOVED and SECONDED

THAT Council commence the Committee of the Whole.

CARRIED

a. Development Variance Application DVP 01-22

19907 53 Avenue - 2-storey duplex with a 1.5-metre interior lot line setback

Carl Johannsen, Director of Development Services, provided information on the Development Variance Application as follows:

- the subject property is zoned RM1 Multiple Residential Low Density which permits duplexes and townhomes;
- this zone includes specific regulations for duplexes including a one storey height limit and a minimum 3 metre interior lot line setback;
- the applicant is seeking to vary the height and the setback requirements of the RM1 zone to permit construction of a two-story duplex with an interior lot line setback of 1.5 metres;
- the details and rationale for the proposed variances are in the staff report; the applicant is also in attendance.

The following individuals were in attendance on behalf of the applicant:

Aman Sekhon, 1329662 BC Ltd.

Vinod Jain, 1329662 BC Ltd.

Luis Cruz, Luis Cruz & Associates Ltd.

Mr. Cruz, representing the applicant, provided details of the Variance Permit application to allow a 2-storey duplex with a 1.5m interior lot line set back at 19907 53 Ave., and reviewed the architectural plans of the proposed building.

An opportunity for public input on the Development Variance Application was provided.

Fred (*no last name provided*), property owner of 5318 199A Street which is adjacent to the subject property to the north, expressed concerns with respect to the impact the construction of this building will have on his tenants, citing concerns with:

- construction noise;
- safety issues for children around the site;
- potential for damage to his property.

In response, Mr. Sekhon advised that:

- the development site will be fenced;
- construction will only take place Monday to Friday so as to reduce impacts to residents;
- there would be no damage to neighbouring properties due to the construction;
- he will provide his contact number to Fred so that he may be contacted should Fred's tenants experience any issues due to the construction and he will resolve the issues.

Mr. Johannsen further advised that:

- the City has a Noise Control Bylaw that limits construction to certain days and hours;
- safety fencing is a requirement under City bylaws and Work Safe BC;
- he encouraged the applicant to communicate with owners of neighbouring properties prior to starting construction to advise what will be happening on the site;
- City's building inspector will ensure the construction site remains safe throughout construction.

Mayor Pachal called for further speakers on the Development Variance Application.

There were no further speakers.

b. Development Variance Application DVP 02-22

5525 209 Street – front and exterior accessory building setbacks of 1.0 metres and the provision of 84 parking spaces

Carl Johannsen, Director of Development Services, provided information on the Development Variance Application as follows:

- the subject property is zoned RM1 Multiple Residential Low Density which permits duplexes and townhomes;
- a variance is required to permit the applicant to construct an approximately 600 sq. ft. refuse bin enclosure one metre from the front and exterior property line; as the required lot line setbacks are 7.5 metres;
- the applicant is also seeking a parking variance to permit the reduction in the number of required parking spaces on the site from 90 to 84 in order to permit construction of the refuse bin enclosure over six of the existing parking spaces on the site;
- the details and rationale for the proposed variances are in the staff report; the applicant is also in attendance.

Ms. Leslie Geddes, Senior Property Manager, BC Kinsmen Housing Society representing the applicant, provided information on the proposed refuse bin enclosure, advising that:

- BC Kinsmen Housing Society oversees the operation of the subsidized housing development located at 5525 209 Street;
- The refuse bin enclosure is part of a significant BC Housing funded upgrade of the property and is required to address issues with outside dumping at the current refuse site on the property;
- The change in garbage regulations has required the addition of cardboard and organics recycling bins to their current refuse area;
- Enclosing all the refuse and recycling bins will create a more esthetically pleasing appearance on the site for tenants and prevent access by outside dumpers;
- Although six of the parking spaces will be taken up by this enclosure, recent upgrades to the parking at this site has created enough parking for all tenants as well as 17 additional visitor parking spaces.

Mayor Pachal called three times for any speakers on the Development Variance Application.

There were no speakers.

In response to questions from Council members, Ms. Geddes advised that:

- the main purpose of the enclosure is to prevent people from dumping their garbage and unwanted belongings at their site and to have the various refuse and recycling containers in one area where they are easier to manage and monitor;
- tenants will not have access to gates in front of the enclosure, only the garbage removal company will have the key to those gates in order to dump the bins from the enclosure; there will be a pedestrian gate to allow tenants to place their garbage and recycling in the appropriate bins within the enclosure at any time.

c. Committee of the Whole - Rise and Report

It was MOVED and SECONDED

THAT Council rise and report.

CARRIED

3. ADOPTION OF THE MINUTES

- a. Regular Meeting Minutes from October 24, 2022
- b. Inaugural Council Meeting Minutes from November 7, 2022

It was MOVED and SECONDED

THAT the minutes of the following meetings be adopted as circulated:

- regular meeting held on October 24, 2022;
- Inaugural Council meeting held on November 7, 2022.

CARRIED

4. BUSINESS ARISING FROM COMMITTEE OF THE WHOLE

- a. Development Variance Application DVP 01-22

19907 53 Avenue - 2-storey duplex with a 1.5-metre interior lot line setback

It was MOVED and SECONDED

1. THAT the November 7, 2022 report entitled Development Variance Permit Application DVP 01-22 (19907 53 Avenue) be received for information; and

2. THAT Council approve Development Variance Permit application DVP 01-22 to allow a height of two storeys and an interior lot line setback of 1.5 metres.

BEFORE THE QUESTION WAS CALLED in response to questions from Council members, Mr. Johannsen advised that:

- duplexes are a permitted use under the RM1 zone; the variance is being sought to allow for a 2-storey duplex; and while there has been no redevelopment in this area to date, under the OCP it is designated for higher density apartments; the proposed duplex on this property is not expected to encumber such future development ;
- trades parking will be reviewed as part of the building permit process; however, staff believe trades should be able to park on site during construction;
- if this development application is approved, there are a number of staff checks in place throughout the building process to ensure the basement is not turned into an illegal suite:
 - careful review of the building permit drawings to make sure there are no elements in that basement that would indicate that it would be used for a suite;

- on-site inspections during construction and prior to final occupancy;
- placement of a covenant on title that prohibits suites.

THE QUESTION WAS CALLED and the motion was

CARRIED

- b. Development Variance Permit No. DVP 02-22

5525 209 Street - front and exterior accessory building setbacks of 1.0 metres and the provision of 84 parking spaces

It was MOVED and SECONDED

1. THAT the November 7, 2022 report entitled Development Variance Permit Application DVP 02-22 (5525 209 Street) be received for information; and

2. THAT Council approve Development Variance Permit application DVP 02-22 to allow front and exterior accessory building setbacks of 1.0 metres and the provision of 84 parking spaces.

CARRIED

5. MAYOR'S REPORT

Mayor Pachal introduced Council members and staff in attendance.

- a. Upcoming Meetings

Regular Council Meeting – December 5, 2022 (Time TBD)

Regular Council Meeting – December 12, 2022 (Time TBD)

6. BYLAWS

- a. Bylaw 3221 - Zoning Amendment No. 190 (RZ04-22) and Development Permit No. DP 07-22

First and second reading of a bylaw to rezone the property located at 5302 – 200 Street; 20011, 20021, 20031 – 53 Avenue; 20030 – 53A Avenue from RS1 Single Family Residential zone to the CD86 Comprehensive Development zone to accommodate a 6-storey, 84-unit apartment development

Carl Johannsen, Director of Development Services, provided information on the Zoning amendment as follows:

- the subject properties are zoned Single Family Residential but they are designated Low Rise Residential in the OCP and this land use allows

- for multifamily apartment development up to a maximum height of six stories and a maximum density of 2.1 floor area ratio (FAR);
- the density of the proposed development complies with the OCP but it exceeds the typical zone that's used for apartments in the city so a Comprehensive Development zone or CD zone is being proposed to accommodate the applicant's proposed rezoning;
 - the applicant is also proposing variances for visitor parking and accessible parking stall length as well as reduced resident parking;
 - further details and rationale for these variances and parking reduction is included in the report.

It was MOVED and SECONDED

THAT the bylaw cited as "Zoning Bylaw 1996, No. 2100 Amendment No. 190, 2022, No. 3221" be read a first and second time.

BEFORE THE QUESTION WAS CALLED in response to questions from Council members, Mr Johannsen advised that:

- the proposed reduced visitor parking and resident parking is consistent with the parking rates being proposed for the new Zoning Bylaw which takes into account the current level transit service in this area and its close proximity to the future SkyTrain station;
- previous applications have also requested a reduction in resident and visitor parking in this area for these reasons;
- there is on street parking available on 53 Ave. and 53A Ave. in certain areas; however, these applications are expected to accommodate resident parking on-site;
- staff are in regular communication with the School District No. 35 staff regarding population estimates, development, and student generation; the school district staff and the board are aware of the increasing population in this area and the increased student generation; they have identified an 8-classroom expansion for Nicomekl Elementary School in their Capital Plan;
- the applicant will be providing operable windows to provide for portable air conditioners; staff don't believe they're intended to be the window-mounted air conditioners; most are low noise and venting shouldn't be too much of a hindrance; however staff can ask the applicant where they are intending to put the venting system for these units;
- staff can also ask the applicant about the ability to add air conditioning through the venting systems;
- if Council gives third reading to the bylaw, the applicant will be required to improve their frontage on 53 Ave. and 200 St., including new sidewalk and multi-use pathway; the applicant will also be making a contribution towards a new mid-block crosswalk to

enhance access and safety for children crossing 53 Ave. to the school.

THE QUESTION WAS CALLED and the motion was

CARRIED

7. ADMINISTRATIVE REPORTS

a. Appointment of External Auditor

It was MOVED and SECONDED

THAT Council appoint BDO Canada LLP as the external financial auditor for the City of Langley for a five-year term, beginning with the 2022 fiscal year that ends on December 31, 2022, through to the 2026 fiscal year that ends on December 31, 2026.

BEFORE THE QUESTION WAS CALLED in response to a question from a Council member, Mr. Leite advised:

- other auditing firms were encouraged to respond to the City's RFP; however, they advised that didn't have the capacity to take on the City's work which is why there was only one audit firm that submitted a proposal; which is unusual, but which may be a sign of staffing issues that many organizations are experiencing right now;
- the increase in the budget for this service is reflective of both the increasing cost pressures organizations in general have been experiencing as well as the fact that the City's previous five-year contract with the auditing firm had a historically low audit fee and the cost to provide these services has been increasing over the past five years.

Councillor Wallace left the meeting at 4:00 pm.

THE QUESTION WAS CALLED and the motion was

CARRIED

Councillor Wallace returned to the meeting at 4:02 pm.

b. 2023 Schedule of Regular Council Meetings

It was MOVED and SECONDED

1. THAT the following dates be set for the Regular Meetings of Council in 2023:

January 16, 30
February 13, 27
March 6, 20
April 3, 17
May 1, 8
June 5, 19
July 10, 24
September 11, 25
October 16, 30
November 6, 20
December 4, 11

2. THAT effective January 1, 2023, the Regular Meetings of Council will be held in the Council Chambers, Langley City Hall, 20399 Douglas Crescent, Langley BC at 7:00 p.m., unless otherwise resolved by Council.

BEFORE THE QUESTION WAS CALLED in response to a question from a Council Member, Ms. Kenney advised that back-to-back meetings in May were necessary as the Tax Rate bylaw needed to be adopted before May 15 and the FCM Conference is scheduled to take place a week earlier than normal.

THE QUESTION WAS CALLED and the motion was

CARRIED

8. NEW AND UNFINISHED BUSINESS

a. Motions/Notices of Motion

1. Motion - Reschedule December 5 and 12, 2022 Electronic Regular Council Meetings to 4pm - Mayor Pachal

It was MOVED and SECONDED

THAT the December 5 and December 12, 2022 Regular Council Meetings be rescheduled to start at 4:00 pm.

CARRIED

b. Correspondence

1. Adoption Awareness Month - November 2022

Honourable Mitzi Dean, Minister of Children and Family
Development
Province of British Columbia

c. New Business

1. Motion to Hold a Closed Meeting

It was MOVED and SECONDED

THAT the Council Meeting immediately following this meeting be closed to the public as the subject matter being considered relates to items which comply with the following closed meeting criteria specified in Section 90 of the Community Charter:

(1)(e) 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;

(1)(k) 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.

CARRIED

9. **ADJOURNMENT**

It was MOVED and SECONDED

THAT the meeting adjourn at 4:09 pm.

CARRIED

Signed:

MAYOR

Certified Correct:

CORPORATE OFFICER