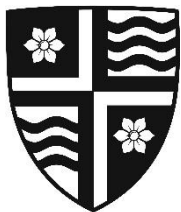


Township of
Langley



Est. 1873

REGULAR MEETING OF TOWNSHIP COUNCIL

Monday, September 21, 2020 at 2:30pm
Fraser River Presentation Theatre
4th Floor, 20338 – 65 Avenue, Langley, BC

MINUTES

Clerk's Note: The meeting was conducted with Council members and staff attending electronically as per Council Procedure Bylaw 2016 No. 5199 Amendment Bylaw 2020 No. 5592.

PRESENT: Acting Mayor, P. Arnason and Mayor J. Froese

Councillors D. Davis, S. Ferguson, M. Kunst, B. Long, K. Richter, B. Whitmarsh, and E. Woodward

M. Bakken, S. Gamble, S. Ruff, R. Seifi, P. Tulumello, and J. Winslade

W. Bauer, R. Cesaretti, S. Little, S. Nam, and K. Stepto

A. ADOPTION AND RECEIPT OF AGENDA ITEMS

1. Regular Council Meeting – September 21, 2020

Moved by Councillor Ferguson,
Seconded by Councillor Davis,
That Council adopt the agenda and receive the agenda items of the
Regular Council meeting held September 21, 2020, as amended.
CARRIED

Councillor Long opposed

Clerk's Note: Item O.5 was added to the agenda.

B. ADOPTION OF MINUTES

1. Regular Council Meeting – September 14, 2020

Moved by Councillor Davis,
Seconded by Councillor Whitmarsh,
That Council adopt the Minutes of the Regular Council meeting held
September 14, 2020.
CARRIED

B. ADOPTION OF MINUTES

2. Public Hearing Meeting – September 14, 2020

Moved by Councillor
Seconded by Councillor
That Council adopt the Minutes of the Public Hearing meeting held
September 14, 2020.
CARRIED

C. DELEGATIONS

1. Kristi McIntosh

File 0550-07

Kristi McIntosh appeared before Council to discuss opening of the Walnut Grove pool for user groups and the public. She commented that the Langley Olympians Swim Club would like to have the pool open as it is needed for elite aquatic training and sports. The Aldergrove Outdoor Pool will become too cold in the winter months for training use. Many other municipalities have opened their pools with COVID safety protocols in place. BC is now in Phase 3 of the viaSport Return to Sport Guidelines, allowing for a safe indoor facility opening. She asked Council to strongly consider opening the Walnut Grove pool.

COUNCILLOR DECLARES CONFLICT OF INTEREST

Councillor Woodward declared a Conflict of Interest under Section 100 of the Community, as he has a property interest, and left the meeting at 2:53pm.

2. Susan Mackenzie

File 0550-07

Susan Mackenzie appeared before Council to express concerns regarding removing the Fort Langley outdoor pool and replacing with a spray pad. She stated that many residents did not realize that a decision had already been made in regards to the pool. She commented that the large trees around the park may cause issue with the drainage of a spray pad, and that a spray pad may be disrespectful to the cemetery. She further stated that a spray pad cannot be used for older kids and teens, birthday parties, etc. She asked for public input into how to save the pool.

D. PRESENTATIONS

1. Expanded Patio Usage

Staff provided an update regarding expanded patio usage. On May 22, 2020 the Liquor and Cannabis Regulation Branch (LCRB) approved Policy Directive 20-13, "Temporary Expanded Service Area Authorization", with an extension approved in September to October 31, 2021. On May 25, 2020, in line with the LCRB's policy

D. PRESENTATIONS

directive and in recognition of the economic impact of the pandemic on the hospitality sector, Council approved the expanded patio service area for restaurants, cafes, pubs, craft breweries, wineries, distilleries, and cideries. Given the success of the program in the Township, staff recommend a continuation of the temporary expansion of patio seating until such time as the LCRB's authorization ends on October 31, 2021.

MOTION

Moved by Councillor Long,
Seconded by Councillor Whitmarsh,
That Council receive the presentation and direct staff to proceed with a report that authorizes the expansion of patio service to October 2021.

CARRIED

Councillor Kunst left the meeting at 3:29pm.

Councillor Woodward re-entered the meeting at 3:36pm.

MAYOR DECLARES CONFLICT OF INTEREST

Mayor Froese declared a Conflict of Interest under Section 100 of the Community Charter, as he has business interest in the area, and left the meeting at 3:36pm.

Councillor Arnason assumed the position of Chair.

Councillor Kunst re-entered the meeting at 3:47pm.

E. REPORTS TO COUNCIL

1. **Winery Lounge and Special Event Area
Endorsement Application No. 000050
(Otter Trail Winery / 5974 - 248 Street)
Report 20-114
File CD 11-11-0040**

Submissions from the public:

1. B. MacLeod, a Langley resident, was in attendance and commented that he and his wife support this winery proposal.
2. K. Van Spronsen, a Langley resident, was in attendance and commented that a 47-signature petition has been submitted opposing the winery expansion to 96 seats. 96 seats is a large increase from 30 seats.

The following written submissions were received from the public:

1. D. and J. Kormilo, Langley residents, expressing opposition to the winery as it will change the quietness and peacefulness of the neighbourhood. It will increase noise, traffic, and people.

E. REPORTS TO COUNCIL

2. M. and J. Thorpe, Langley residents, expressing concern regarding having their tranquility disrupted by a business running on ALR land.
3. S. and S. Scott, Langley residents, expressing concerns regarding increased noise, traffic, using ALR land, lack of parking, and too many wineries in the area.
4. K. Van Spronsen, a Langley resident, submitted a 47-signature petition opposing the winery.

Explanation by the proponent:

A. Chema and R. Slight, Otter Trail Wineries, were in attendance and commented that this will be a small winery, and that the 64 seats extra seats being requested will be in a lounge area so that food can also be offered. 30 seats will be used for wine tasting only. No outdoor parties will be offered and the noise level will be very low. This will be a very quiet, dignified venue with minimal outdoor lighting.

MOTION

Moved by Councillor Long,

Seconded by Councillor Ferguson,

That Council has considered and ENDORSED the request by Otter Trail Winery to locate a 96 seat winery lounge (64 seat interior bistro and 32 seasonal patio seats) and special event area serving the Otter Trail Winery located at 5974 - 248 Street, Langley, characterized as having liquor service from 11:00AM to 10:00PM Tuesday through Sunday.

In ENDORSING this request, Council deems that it has considered and found acceptable the location of the winery lounge; the proximity of the winery lounge to other special or recreational facilities and public buildings; the person capacity of the winery lounge; the hours of liquor service of the winery lounge; potential traffic, noise and parking impacts; zoning; and the impact on the community if the application is approved.

In ENDORSING this request, Council has considered the views of area residents expressed to Council at a Liquor Licencing Hearing held on September 14 and 21, 2020 at the Township of Langley Civic Facility (Fraser River Presentation Theatre), 20338 – 65 Avenue, Langley, BC, the minutes of which and written submissions provided by the public being attached to this resolution.

ENDORSEMENT of this request is subject to compliance with Municipal Bylaws and Policies and Liquor Control and Licensing Act Regulations.”

AMENDMENT

Moved by Councillor Richter,

Seconded by Councillor Woodward,

That the motion be amended to change the 96 seat winery lounge to a 30 seat indoor tasting lounge and bistro.

AMENDMENT WITHDRAWN

E. REPORTS TO COUNCIL

AMENDMENT

Moved by Councillor Richter,
Seconded by Councillor Davis,
That the hours of operation be changed from 11:00am to 10:00pm, to
11:00am to 6:00pm.

DEFEATED

Councillors Davis, Ferguson, Kunst, Long, Whitmarsh, and Woodward
opposed

AMENDMENT

Moved by Councillor Richter,
Seconded by Councillor Woodward,
That the endorsement be amended to eliminate the 32 seasonal patio seats.

DEFEATED

Councillors Davis, Ferguson, Kunst, Long, Whitmarsh, and Woodward
opposed

MAIN MOTION

The question was called on the Main Motion, and it was
CARRIED

Councillors Arnason and Richter opposed

Mayor Froese re-entered the meeting at 4:56pm and resumed the position of Chair.

Councillor Kunst left the meeting at 5:00pm.

2. Financial Report Update – June 30, 2020

Report 20-121

File FIN 1830-03

Moved by Councillor Davis,
Seconded by Councillor Long,
That Council receive the Financial Report Update – June 30, 2020 No. 20-
121 for information.

CARRIED

3. Non-medical Cannabis Retail Sales

Development Applications

Report 20-119

File CD BA000027

That Council direct staff to bring forward the following rezoning applications
for Council's consideration of the required rezoning bylaws and
accompanying endorsement to the provincial Liquor and Cannabis
Regulations Branch, on the basis that they are the only applications having
been submitted by the August 31 deadline established by Council for their

E. REPORTS TO COUNCIL

respective community plan areas, with respect to retail sales of non-medical cannabis:

- Murrayville: Central Langley Investments Ltd.: 200-4839 - 221 Street;
- Walnut Grove: North Langley Shopping Centers Ltd.: A401-8840 - 210 Street; and
- Willoughby: 1067418 BC Ltd.: 20826 - 72 Avenue; and further

That Council select applications, pursuant to Council Policy 07-410, from the full list of applications submitted by August 31, 2020, for the remaining communities of: Aldergrove, Carvolth, Fort Langley and Willowbrook, as outlined in this report, and direct staff to bring forward the relevant rezoning bylaws and endorsement to the provincial Liquor and Cannabis Regulations Branch.

MOTION DIVIDED

Mayor Froese requested the motion be divided.

MOTION 1

Moved by Councillor Long,

Seconded by Councillor Whitmarsh,

That Council direct staff to bring forward the following rezoning applications for Council's consideration of the required rezoning bylaws and accompanying endorsement to the provincial Liquor and Cannabis Regulations Branch, on the basis that they are the only applications having been submitted by the August 31 deadline established by Council for their respective community plan areas, with respect to retail sales of non-medical cannabis:

- Murrayville: Central Langley Investments Ltd.: 200-4839 - 221 Street;
- Walnut Grove: North Langley Shopping Centers Ltd.: A401-8840 - 210 Street; and
- Willoughby: 1067418 BC Ltd.: 20826 - 72 Avenue.

Councillor Kunst re-entered the meeting at the meeting at 5:21pm.

REFERRAL

Moved by Councillor Richter,

Seconded by Councillor Woodward,

That this motion be referred to a special meeting of Council to review each application in detail.

CARRIED

Mayor Froese and Councillors Kunst, Long, Whitmarsh opposed

E. REPORTS TO COUNCIL

MOTION 2

Moved by Councillor Long,
Seconded by Councillor Whitmarsh,
That Council select applications, pursuant to Council Policy 07-410, from the full list of applications submitted by August 31, 2020, for the remaining communities of: Aldergrove, Carvolth, Fort Langley and Willowbrook, as outlined in this report, and direct staff to bring forward the relevant rezoning bylaws and endorsement to the provincial Liquor and Cannabis Regulations Branch.

REFERRAL

Moved by Councillor Long,
Seconded by Councillor Whitmarsh,
That this motion be referred to an open, Special Meeting of Council.

CARRIED

Councillor Long opposed

MOTION

Moved by Councillor Richter,
Seconded by Councillor Davis,
That the Special Meeting of Council be held on October 19, 2020, via Zoom;
and

That new applications be processed only after the current applications submitted by August 31, 2020 in the areas identified in the report have been processed.

CARRIED

Councillor Long opposed

F. BYLAWS FOR FIRST AND SECOND READING

1. **Rezoning Application No. 100608**
(Lehigh Hanson Materials Ltd. / 20111 – 102B Avenue)
Bylaw No. 5623
Report 20-120
File CD 09-02-0173

Moved by Councillor Davis,
Seconded by Councillor Kunst,
That Council give first and second reading to Township of Langley Zoning Bylaw 1987 No. 2500 Amendment (Lehigh Hanson Materials Ltd.) Bylaw 2020 No. 5623 to amend Heavy Industrial Zone M-3, to allow for asphalt batch plant uses on a 7.5 ha (18.6 ac) industrial property, subject to the following development prerequisites being satisfied to the acceptance of the Township of Langley General Manager of Engineering and Community Development prior to final reading:

F. BYLAWS FOR FIRST AND SECOND READING

1. A Servicing Agreement being entered into with the Township to secure required road and utility upgrades and extensions in accordance with the Township's Subdivision and Development Servicing Bylaw;
2. Provision of road dedications, widenings, and necessary traffic improvements for 102B Avenue and 201 Street in accordance with the Township's Master Transportation Plan and Subdivision and Development Servicing Bylaw;
3. Submission of an erosion and sediment control plan and provision of security in accordance with the Erosion and Sediment Control Bylaw;
4. Provision of a final tree management plan incorporating tree retention, replacement, protection details, and security in compliance with Subdivision and Development Servicing Bylaw (Schedule I - Tree Protection);
5. Provision of final landscape plans in compliance with the Township's Street Tree and Boulevard Planting Policy;
6. Protection of Streamside Protection and Enhancement Areas in a restrictive covenant and acceptance of the streamside enhancement plans, fencing, signage, and security;
7. Registration of the following restrictive covenants:
 - a. Requiring onsite stormwater detention and infiltration; and
 - b. Noting the subject property is located in a designated floodplain and saving harmless the Township of Langley from all claims relating to flooding or flood damage;
8. Payment of applicable supplemental Rezoning fees, Site Servicing Review fee, ISDC review fee, Development Works Agreement (DWA) and Latecomer charges; and further

That Council authorize staff to proceed with the written submission opportunity.

CARRIED

Councillors Arnason and Richter opposed

G. BYLAWS FOR FIRST, SECOND AND THIRD READING

H. BYLAWS FOR CONSIDERATION AT THIRD READING

I. BYLAWS FOR FINAL ADOPTION

J. CORRESPONDENCE

Moved by Councillor Davis,
Seconded by Councillor Ferguson,
That Council receive the correspondence, as presented.

CARRIED

1. Universal Access to No-cost Prescription Contraception
File 0400-60

Letter from Mayor Jonathan X. Cote, City of New Westminster, requesting the Township of Langley write to the Provincial Minister of Finance, the Provincial Minister of Health, the Premier of BC, and the local MLA, supporting universal no-cost access to all prescription contraception available in BC under the Medical Services Plan.

2. International Day of Older Persons
File 0630-20

Letter from Agnes Jackman, Board Member, Council of Senior Citizens' Organizations of BC, requesting October 1, 2020 be proclaimed as International Day of Older Persons and the UNIDOP flag be displayed.

3. Homelessness Action Week
File 0630-01

Letter from Jonquil Hallgate, Chair, Metro Vancouver and Fraser Valley Council of Community Homelessness Tables, requesting the week of October 11-17, 2020 be proclaimed as Homelessness Week.

K. MINUTES OF COMMITTEES

**1. Recreation, Culture, and Parks Advisory Committee –
September 9, 2020**
File 0540-20

Moved by Councillor Arnason,
Seconded by Councillor Kunst,
That Council receive the Minutes of the Council Advisory Committee meeting as listed above.

CARRIED

L. MAYOR AND COUNCIL REPORT

Mayor and Council attended several events during the course of their duties.

M. METRO VANCOUVER REPRESENTATIVES REPORT

Councillor Ferguson commented that the Terry Fox fundraiser is being held virtually this year. He further reported that the Metro Vancouver Liquid Waste and Water groups have received awards for environmental and delivery services.

Councillor Richter reported that the Metro Vancouver Parks Board is working on the strategic framework for Campbell Valley Park and will have a plan available for review by the end of the year.

N. ITEMS BROUGHT FORWARD FOR PUBLIC INFORMATION FROM SPECIAL CLOSED MEETINGS

COUNCILLOR DECLARES CONFLICT OF INTEREST

Councillor Woodward declared a Conflict of Interest under Section 100 of the Community Charter as he has a property interest, and left the meeting at 5:53pm.

O. OTHER BUSINESS

1. Fort Langley Outdoor Pool Replacement Decision

Moved by Councillor Richter,
Seconded by Councillor Davis,
Whereas this TOL Council recently made a decision to replace the Fort Langley Outdoor Pool with a Splash Park in a Special Closed Meeting of Township Council;

Whereas Council decisions concerning replacement of existing publicly-funded infrastructure should be transparent to the tax-paying public, and the tax-paying public should be allowed to have input on these decisions; and

Whereas the public was not allowed to have input on this particular decision before it was made in a Closed Council Meeting, and should have been;

Therefore be it resolved that:

1. Council ask staff to place any further action on the Fort Langley Outdoor Pool Replacement Plan on hold until an extensive public input opportunity on the merits of this plan has been held;
2. That a Public Input Opportunity be set up in a "Public Hearing Style Format" at the next open meeting of Township Council (October 5, 2020) to receive comments from the public about the Fort Langley Pool Replacement Plan;
3. That Council have a full discussion on this Fort Langley Pool Replacement Plan at an open Council meeting; and

O. OTHER BUSINESS

4. That Council reconsider at this open Council meeting whether or not to proceed further on the replacement of the Fort Langley Outdoor Pool with a Splash Park.

MOTION DIVIDED

Moved by Councillor Long,
Seconded by Councillor Ferguson,
That the motion be divided.

CARRIED

Councillor Richter opposed

MOTION 1

That Council ask staff to place any further action on the Fort Langley Outdoor Pool Replacement Plan on hold until an extensive public input opportunity on the merits of this plan has been held.

REFERRAL

Moved by Councillor Whitmarsh,
Seconded by Councillor Arnason,
That this motion be referred to staff for a report to include the process for public input opportunity and the cost of the various pool repair and replacement options.

CARRIED

Councillor Richter opposed

MOTION 2

That a Public Input Opportunity be set up in a "Public Hearing Style Format" at the next open meeting of Township Council (October 5, 2020) to receive comments from the public about the Fort Langley Pool Replacement Plan.

DEFERRAL

Moved by Councillor Whitmarsh,
Seconded by Councillor Arnason,
That this motion be deferred until after the staff report on public process and costing has been received

CARRIED

Councillor Richter opposed

MOTION 3

That Council have a full discussion on this Fort Langley Pool Replacement Plan at an open Council meeting.

CARRIED

Mayor Froese and Councillors Kunst and Whitmarsh opposed

O. OTHER BUSINESS

MOTION 4

That Council reconsider at this open Council meeting whether or not to proceed further on the replacement of the Fort Langley Outdoor Pool with a Splash Park.

AMENDMENT

Moved by Councillor Richter
Seconded by Councillor Davis,
That the word “reconsider” be changed to “revisit”.

CARRIED

MOTION 4, AS AMENDED

The question was called on Motion 4, as amended, and it was
CARRIED

MEETING RECESSED

The meeting recessed at 6:17pm.

MEETING RECONVENED

The meeting reconvened at 6:45pm.

Councillor Woodward re-entered the meeting at 6:45pm.

2. Consideration of a Township of Langley RCMP Detachment

Moved by Councillor Woodard,
Seconded by Councillor Richter,

Whereas:

- A. The Township of Langley continues to endeavour to continually improve its provision of law enforcement services to the members of the community that is directed and relevant to the unique issues within the Township of Langley;
- B. A RCMP detachment responsible solely to the Township of Langley would ensure that issues within and unique to the Township of Langley take first priority, and that all law enforcement resources and management attention would be dedicated only to Township of Langley residents, businesses and issues, not those within another municipality; and
- C. The City and Township of Langley Policy Capital and Operations Cost Sharing Agreement includes terms for the eventual separation of the services of the RCMP for the Township of Langley and the City of Langley if reasonable and appropriate to do so.

O. OTHER BUSINESS

Therefore be it resolved that:

1. Council direct staff to prepare a report as soon as practical, but in time for 2021 budget deliberations, outlining the costs associated with terminating the Cost Sharing Agreement between the Township of Langley and City of Langley for the provision of law enforcement services;
2. The report include, but not be limited to, a review of the Termination Section of the City and Township of Langley Policy Capital and Operations Cost Sharing Agreement;
3. The review specifically outline, in accordance with the cost sharing agreement, the purchase costs to be potentially paid to the City of Langley as given in the Cost Sharing Agreement, including, but not limited to:
 - a. 35% of the replacement cost value of the Langley RCMP Detachment building, alterations and equipment;
 - b. Less 35% of the depreciation rates for the Langley RCMP Detachment building, alterations and equipment;
 - c. The determination of the depreciated replacement costs be calculated from 1993, the year of the signing of the Cost Sharing Agreement to the potential date of termination within 2020 or 2021; and
 - d. An assessment of the additional expense potentially to be incurred by the City of Langley as a result of the termination, not to exceed 2% of the depreciated replacement cost.

REFERRAL

Moved by Councillor Whitmarsh,
Seconded by Councillor Richter,
That this motion be referred to the next Council Priorities Session for further discussion.

CARRIED

Councillors Davis, Long, and Woodward opposed

3. Endorsement of Rainbow Crosswalk for SD35

Moved by Councillor Woodward,
Seconded by Councillor Richter,
Be it resolved that permission be granted for the installation of a rainbow crosswalk on Township of Langley property, by Township staff, as necessary, at the requested location of the existing crosswalk at 222 Street between SD35 and the Langley RCMP Detachment.

O. OTHER BUSINESS

AMENDMENT

Moved by Councillor Long,
Seconded by Councillor Richter,
That the motion be amended to include “at no cost to the Township of Langley”.

CARRIED

Councillors Davis, Ferguson and Woodward opposed

MOTION

Moved by Councillor Whitmarsh,
Seconded by Councillor Kunst,
That staff prepare a report on equity, dignity, and inclusion frameworks in other communities, and to provide Council with an outline of the steps that would be required to implement a framework in the Township of Langley.

MOTION TO DIVIDE

Moved by Councillor Woodward,
Seconded by Councillor Richter,
That the original motion, as amended, be voted on separately from the additional motion.

CARRIED

Councillors Davis, Kunst, Whitmarsh opposed

MAIN MOTION, AS AMENDED

The question was called on the Main Motion, as amended, and it was
CARRIED

Councillors Davis, Kunst and Whitmarsh opposed

MOTION

That staff prepare a report on equity, dignity, and inclusion frameworks in other communities, and to provide Council with an outline of the steps that would be required to implement a framework in the Township of Langley.

REFERRAL

Moved by Councillor Richter,
Seconded by Councillor Arnason,
That the motion for staff to prepare a report be referred to the next Council Priorities Session for further discussion.

CARRIED

O. OTHER BUSINESS

4. Reopening Plan for Township of Langley Recreational Facilities

Moved by Councillor Whitmarsh,
Seconded by Councillor Davis,
Whereas the COVID-19 pandemic resulted in the closure of various
Township of Langley facilities, parks and fields;

Whereas not all Township facilities have reopened and staff continue to
review the requirements, regulations, and financial implications for the safe
reopening of Township facilities; and

Whereas members of the community are requesting information on the
reopening plans for the Township recreation facilities that remain closed;

Therefore be it resolved that Council direct staff to provide a report or a
presentation, to Council at the October 5, 2020 Regular Council meeting to
advise Council on the recreational community needs and the next possible
steps in the reopening plan for the recreational facilities that remain closed.

CARRIED

Councillor Richter opposed

5. 216 Street Overpass Update

Council discussed the 216 Street overpass.

P. MOTION TO RESOLVE INTO SPECIAL CLOSED MEETING

Moved by Councillor Whitmarsh,
Seconded by Councillor Davis,
That Council now resolve into a Special Closed Meeting for discussion of the
following items, in accordance with and as identified under Section 90 of the
Community Charter:

Item A.1 - Section 90(1) (n) Consideration;
Item F.1 - Section 90(2) (c) Ombudsperson Act;
Item H.1 - Section 90(1) (a) Personnel;
Item H.2 - Section 90(1) (a) Personnel; and
Item H.3 - Section 90(1) (e) Property; (k) Negotiations;
Item H.3 - Section 90(1) (m) Another Enactment; and
Item H.3 - Section 90(1) (a) Personnel.

CARRIED

Q. TERMINATE

Moved by Councillor Whitmarsh,
Seconded by Councillor Davis,
That the meeting terminate at 8:28pm.
CARRIED

CERTIFIED CORRECT:

Mayor

Township Clerk