

Questions that Langford Mayor and Council must answer

1. Question for Mayor and Council

Langford Mayor and Council reneged on written commitments by rezoning Tri-Way land without the contracted buyer having to present a, “Comprehensive Plan for Compensation”, for,

“approval by residents and Council prior to rezoning”.

This was supposed to happen per Langford City Manufactured Home Park Redevelopment Policy 0070-PLAN 2015.

Council minutes and Staff reports evidence the same was to have happened but for reasons never explained, Mayor and Council reneged.

As previously explained the city rammed through bylaw 1885 rezoning 50 acres of land during a private land sale process ignoring their written assurances and without even following their own policy 0070 –PLAN.

Tri-Way residents’ request to meet with Mayor and Council was never acknowledged. A letter written by Clay and Company on behalf of tri-Way residents was never acknowledged.

Recently, when challenged by a reporter, Councilor Blackwell gave a partial explanation in a Times Colonist article on 13th of December 2020.

Councilor Blackwell stated that Mayor Young's letter to TriWay residents,

"...probably shouldn't have been written that way".

That is not credible and does not explain the breach of moral contract. Mayor Young's letter was drafted by the Director of Planning Matthew Baldwin and signed by the Mayor – both are veterans with a combined 50+ years at Langford Municipality.

Councilor Blackwell's statement does not explain why Council also ignored publicly documented evidence of Langford's commitments to TriWay.

Councilor Blackwell continues,

"...because the purchase of the land was conditional on rezoning being approved..."

This raises critical questions about the entire land sale and rezoning process;

- Did the City "facilitate" a private land sale and if so why?
- Did the City have a financial interest in the sale?
- Why did a private buyer/developer dictate purchase conditions to Council?
- Why was a buyer/developer who does not yet even own the land, granted rezoning to the detriment of TriWay residents?

- Why did Council, “ram through” rezoning during a sale process - adding significant value to the sale?
- Why was there no Public Hearing?
- Why did a private land deal apparently supersede Council’s written commitments to tax-paying homeowners?

The initial notional purchaser of the 50 acres of land was Langford developer Jim Hartshorn. It is not known what role he played in the process - broker, proxy, or trader.

The fact is when the sale completed on 15 December 2020, the actual purchaser emerged as multibillion dollar developer Starlight Developments from Toronto with plans to develop the entire 50, now conveniently “pre-zoned” acres in Langford.

Then, announced on Saturday January 16th, 2021 is news that the City of Langford accepted \$500,000 from Starlight Developments for the naming rights to what is currently known as Westhills Stadium. This is a most generous contribution to the community.

However, the optics might raise additional questions;

- For example, when was this arrangement initiated?
- By accepting funds from a major developer, even in exchange for naming rights, it is possible Mayor and

Council have now compromised the City's decision making on developments?

2. Question to Mayor Young

In May 2019, Your Worship Mayor Young issued a signed letter to 100 residents of Tri-Way manufactured home park the letter stated that;

- *“The City of Langford will not rezone any manufactured home park for any other use unless and until a comprehensive plan of compensation has been provided. This plan must be approved by Council, but more importantly approved by the overwhelming majority of the residents of Tri-Way Park”.*

What explanation can your worship give to the 100 Langford seniors who had relied on your written assurance and who are now devastated to find that your written assurances are worth nothing?

3. Question to Council

Consistent with Mayor Young's assurance, minutes from the Planning and Rezoning meeting of February 10 adopted by Council on February 18th required the developer to submit a plan of compensation“;

“...prior to Bylaw Adoption for approval by mobile home residents and Council.....”

4. Question to Council

Rezoning is done. Bylaw 1885 has been adopted. A Covenant has been put on the land title and residents have been cleverly, deceitfully, and specifically, excluded from any involvement in the process.

Will Council please explain in writing, the reasoning behind the resident's blatant exclusion which directly contradicts what is stated in Mayor Young's letter to residents, and is specifically stated repeatedly in Council minutes and Staff reports?

Please explain in writing why Council has awarded a huge and unreasonable advantage to the developer by relieving him of the significant obligation to present a comprehensive plan for compensation for approval by residents and Council PRIOR TO REZONING?

5. Question to Council

A covenant that has been referred to disingenuously as a, "protective covenant" has been created which states that,

"Council and the parties to the Covenant agree that payment of assessed value to displaced senior residents equates to a comprehensive plan for compensation"

How and when did Council agree to the terms of the covenant?

6. Question to Council

On August 17th, 2020, in 12 seconds, with no discussion, having waived the promised Public Hearing on Bylaw 1885, and ignoring written and verbal representations from TriWay residents, Council unanimously rubberstamped a set of minutes of the August 17th Council meeting that are materially inaccurate. They also passed Bylaw 1885 that contains serious mistakes and will require a Bylaw amendment to correct it.

Do Council members ever bother to read, actually check, or even try to comprehend, what they are voting on, or do they simply rubberstamp whatever is on the agenda?

7. Question to Mayor and Council

How will you remedy this extraordinary failure of integrity and shameless abandonment of your assurances to residents?

Now you have failed us, how will you hold the developer to the commitments he made to 100 residents on January 16th, 2020?

Those well documented commitments include at a minimum;

- **A “Comprehensive Plan for Compensation”, meaning a comprehensive plan that takes all residents circumstances into account, leaving no one without appropriate accommodation, and to be approved by an overwhelming majority of residents**
- **A commitment to buy out ANY resident who wishes to leave the Park no questions asked**
- **A written commitment that a reduced size Park would remain “in perpetuity”**
 - **That is what we were promised**
 - **That is all we ask for**
 - **That is all it will take to effect a model transition**

8. Question to Mayor and Council

Why did you all renege on your commitments to TriWay residents?

Since you have offered no satisfactory explanation, residents are left to try and develop theories based on what can be known.

Could it be that the City was a financially interested party in the land sale? We are not just talking about future property tax revenues. Did the City have a direct financial interest in making sure the deal got done? Let us attempt to follow a hypothetical money trail.

Here is a theory only given what residents know and without the benefit of an explanation from the Mayor, City, or developer Hartshorne;

- The seller of the land got their price based on the fact that their land was already zoned for redevelopment during the sale process.
- The contracted buyer of the land Jim Hartshorne (who prior to sale completion apparently transferred his contracted interest on to Starlight developments) got land already rezoned without having the inconvenience of having to present a Comprehensive Plan of Compensation to Council and TriWay residents.

- The City may have had one or more financial interests in making sure the sale went through without any possible hindrance. landowner. The City has not been transparent, has not disclosed, nor has it offered any apology or adequate credible explanation.
- To get all this done, the City just had to push through the rezoning without a Public Hearing, disregarding their own policy, process, integrity, and all obligations to TriWay residents.

Please Mayor and Council give a clear explanation in the event the above theory is incorrect.

9. Question to Mayor and Council

How is it possible that the extraordinarily favourable arrangement was afforded to developer Jim Hartshorne?

According to Judith Lavoie writing for Focus on Victoria in Jan/Feb 2020;

" The Planning, Zoning, and Affordable Housing Committee, which provides advice to Council, but does not have decision making authority, is made up of two counsellors and **five appointed citizens including Kent Sheldrake, co-owner of Draycor Construction Limited; Art Creuzot, owner of Luxbury Homes; and Malcolm Hall, owner of Lifestyle Ventures Development Company and Solo Suites Airbnb Hotel.**

The six-member Board of Variance, which operates at arm's length from Council and deals with matters such as relaxation of zoning regulations or tree protection requirements, includes **Cliff Curtis owner of TB J Properties; Jim Hartshorn, owner of KeyCorp Developments Limited and West Hills Land Corp.;** land development consultant Rachel Sansom; and Ron Coutre, owner of **Southpoint Partners Limited and President of Westshore Developers Association."**

Developers certainly appear to have major influence in the City.

TriWay Residents and indeed all of Langford's electorate needs to have accountability and transparent answers from our elected officials.