

THE CORPORATION OF THE DISTRICT OF CENTRAL SAANICH

Minutes of the **REGULAR COUNCIL** Meeting
Monday, December 6, 2004 at 7:00 p.m.
Central Saanich Municipal Council Chamber

PRESENT: Mayor Allison Habkirk
Councillors: Graham, Haddon, King, Korol, Mason and Thompson
Gary C. Nason, Administrator
Trish Flanders, Municipal Clerk
Ed Sykora, Director of Financial Services
Nirmal Bhattacharya, Municipal Engineer

OPENING REMARKS:

Mayor Habkirk introduced Mr. Jim Percival, a local resident and photographer, who presented the Mayor and Council with a Photo Record of the Brentwood Bay – Mill Bay Ferry for the years 2000 to 2004, which contains images from various events that have occurred over the past several years including the recent 80th Anniversary celebrations for the ferry. Mayor Habkirk thanked Mr. Percival for his generous and creative donation to the District.

MAYOR'S INAUGURAL ADDRESS:

Mayor Habkirk presented her 2004 Inaugural Address, a copy of which is attached to these Minutes.

APPROVAL OF THE AGENDA:

The Administrator, Mr. Gary C. Nason, noted the addition to the agenda of the following late items:

1. Correspondence to be considered in conjunction with Item 4 under Section 7 - Correspondence (Action Required or Recommended) Re: Issues Related to the Brentwood Bay Lodge & Spa Garden Villas Application:
 - Carolyn Crow, 7216 Brentwood Drive, December 1, 2004;
 - Ron Lea of Via Architecture, December 1, 2004;
 - Malcolm Crow, 7216 Brentwood Drive, December 2, 2004;
 - Doreen M. Crow, 7216 Brentwood Drive, December 2, 2004;
2. Correspondence to be considered in conjunction with Item 7 under Section 7 – Correspondence (Action Required or Recommended) Re: Agri-Tourism Issues/Oldfield Orchard:
 - Jerry Mussio, 6202 Bryn Road, December 3, 2004;
 - Jerry Mussio to Minister of Agriculture, Food and Fisheries, December 3, 2004;
3. Correspondence to be considered in conjunction with Item 9 under Section 7 – Correspondence (Action Required or Recommended) Re: Bike Lanes - Mt. Newton Cross Road from East Saanich Road to Highway 17:
 - Vancouver Island Health Authority, December 1, 2004;
4. Correspondence to be considered in conjunction with Item 1c) under Section 9 - Staff Memoranda and Reports Re: Section 57 Notice on Title for Property Located at 6820 Kirkpatrick Crescent:
 - Frank White, December 6, 2004;

01.05 MOVED BY COUNCILLOR THOMPSON
 SECONDED BY COUNCILLOR GRAHAM
 That the Agenda for the Regular Council Meeting held on December 6, 2004 be approved as amended.
 CARRIED UNANIMOUSLY

ADOPTION OF THE MINUTES:

Minutes of the Joint Council/Police Board Meeting held on October 25, 2004

- 02.05 MOVED BY COUNCILLOR THOMPSON
 SECONDED BY COUNCILOR GRAHAM
 That the Minutes of the Joint Council/Police Board Meeting held on October 25, 2004 be adopted as circulated.
 CARRIED UNANIMOUSLY

Minutes of the Regular Council Meeting held on November 15, 2004

- 03.05 MOVED BY COUNCILLOR THOMPSON
 SECONDED BY COUNCILOR GRAHAM
 That the Minutes of the Regular Council Meeting held on November 15, 2004 be adopted as circulated.
 CARRIED UNANIMOUSLY

Report of the Public Hearing held on November 29, 2004

- 04.05 MOVED BY COUNCILLOR GRAHAM
 SECONDED BY COUNCILOR KING
 That the Report of the Public Hearing held on November 29, 2004 be adopted as circulated.
 CARRIED UNANIMOUSLY

At this time, Councillor Thompson suggested that, due to Councillor's Mason's absence from this evening's Meeting, consideration of "Central Saanich Land Use Bylaw Amendment Bylaw No. 1513, 2004" be postponed to the next available Council Meeting when a full quorum of Council is anticipated.

- 05.05 MOVED BY COUNCILLOR THOMPSON
 SECONDED BY COUNCILLOR HADDON
 That further consideration of "Central Saanich Land Use Bylaw Amendment Bylaw No. 1513, 2004" be postponed to a Special (Open) Council Meeting to be held at 7:00 pm on December 13th, 2004.
 CARRIED UNANIMOUSLY

BUSINESS ARISING FROM THE MINUTES: None.

RISE AND REPORT:

Mayor Habkirk briefly reported on the following issue pertaining to the Victoria Estate Winery:

- The Victoria Estate Winery (VEW) has applied to the District to rezone their property to permit a commercial restaurant operation at the Winery.
- VEW has now requested that the rezoning application be held in abeyance, and has applied to the District for a Building Permit to install a restaurant-scale kitchen facility associated with the winery lounge which is permitted on the premises.
- Given Council's concerns that during the public consultation on the winery lounge and picnicking area endorsements VEW made representations to the District that only a limited range of cold snack and food items would be served in the lounge, Council has sought legal advice on VEW's Building Permit application for the kitchen facility.
- The District has been advised by its Solicitors that it is not in a position to refuse the Building Permit application, because the Liquor Control & Licensing and Agricultural Land Reserve Regulations permit the operation of a food and beverage service lounge as an ancillary use to the winery operation, notwithstanding any local zoning bylaws. The floor area limits on the lounge area permitted by the ALR Regulation do not, the District has been advised, translate into any practical limit on the type or scale of kitchen facilities that the holder of a lounge endorsement is entitled to install.

- The District has communicated with both the Liquor Control & Licensing Branch, and with the Agricultural Land Commission, to make them both fully aware of the difficult problems that their regulations are causing the District in this particular case. In addition, the District has clearly stated its expectation that these agencies will continue to closely monitor the use of these premises and diligently enforce the limits as to floor area and hours of operation of the winery lounge under the current licence, and the limits that the legislation and regulations place on the use of tasting areas and the prohibitions on non-farm uses on the site.

PUBLIC INQUIRIES AND ANSWERS THERETO: None.

PRESENTATIONS/PETITIONS AND DELEGATIONS: None.

CORRESPONDENCE (Action Required or Recommended):

1. D Scandrett Re: Fence at 1252 Knute Way

- a) Correspondence from Dave Scandrett, 1252 Knute Way Re: Fence at 1252 Knute Way.

Mr. Dave Scandrett, 1252 Knute Way, was in attendance at the meeting and briefly addressed the contents of his correspondence.

The Administrator referred to a similar situation on Kristin Place in which a cost-sharing arrangements was made between the property owner and the District for the construction a chain link fence. He advised that the cost estimate for a similar fence at 1252 Knute Way is \$1,271.00 plus GST, and suggested that Mr. Scandrett further discuss this matter with the Municipal Engineer.

06.05 MOVED BY COUNCILLOR KING
 SECONDED BY COUNCILLOR THOMPSON
 That the correspondence be received and referred to Staff for review and appropriate action or recommendation as required.
 CARRIED UNANIMOUSLY

2. Seaboard Industries Ltd. Re: Development Permit No. 3060-20-6/02 (Keating Cross Road and Veyaness Road), Seaboard Industries Ltd.

- a) Correspondence dated November 26, 2004 from Ellis Achtem, President – Seaboard Industries Ltd. Re: Development Permit No. 3060-20-6/02 (Keating Cross Road and Veyaness Road), Seaboard Industries Ltd.

Mr. Ellis Achtem, President of Seaboard Industries Ltd. was in attendance at the meeting and advised that he had no comments to offer at this time.

The Administrator confirmed that the Director of Planning & Building Services has no concerns with the request from Seaboard Industries Ltd. for a further one-year extension on the Development Permit.

07.05 MOVED BY COUNCILLOR GRAHAM
 SECONDED BY COUNCILLOR THOMPSON
 That the correspondence be received and Council authorize a further one year extension on Development Permit No. 3060-20-6/92 as requested by the Applicant.
 CARRIED UNANIMOUSLY

3. L Fallan Re: Application for Construction of Portion of Ridgedown Road

- a) Correspondence dated November 8, 2004 from L Fallan, 2012 Skyline Crescent Re: Application for Construction of Portion of Ridgedown Road.

It was noted that the letter writer was not in attendance at the meeting to address the correspondence.

08.05 MOVED BY COUNCILLOR THOMPSON
 SECONDED BY COUNCILLOR KOROL

That the correspondence be received, and as background information on this matter the letter writer be forwarded a copy of the Application to the Agricultural Land Commission which was previously considered by Council, together with a copy of the Council motions which were subsequently adopted in this regard.

CARRIED UNANIMOUSLY

4. Correspondence Pertaining to Issues Related to the Brentwood Bay Lodge & Spa Garden Villas Application

- a) Doreen Crow, 7216 Brentview Drive, November 9, 2004;
- b) Wayne Watkins, 7055 Wallace Drive, November 23, 2004;
- c) Peter King, 765 Harding Lane, November 23, 2004;
- d) Brian & Christina Donaldson, 7249 Kristin Place, November 29, 2004 (also contains comments related to the Lodge's Dock Extension Application);
- e) Angela Cisotto, 876 Verdier Avenue, November 27, 2004;
- f) Claire Ebendinger, 914 Verdier Avenue, November 29, 2004;
- g) Eunice Webber, 7210 Hagan Avenue, November 29, 2004;
- h) Elizabeth Chambers, 901 Verdier Avenue, November 23, 2004;
- i) Peter Morton, 860 Verdier Avenue, November 30, 2004;
- j) Julie Seeds, 7226 Brentview Drive, November 30, 2004;
- k) Douglas J. Seeds, 7226 Brentview Drive, November 30, 2004;
- l) Valerie Gardiner, 980 Sluggett Road, November 30, 2004;
- m) Guy Lacey, 876 Verdier Avenue, November 30, 2004;
- n) John Creviston, 866 Verdier Avenue, November 30, 2004;
- o) Joyce Huska, 860 Verdier Avenue, November 30, 2004;
- p) Tom Bilodeau, 887 Verdier Avenue, December 1, 2004.
- q) Carolyn Crow, 7216 Brentwood Drive, December 1, 2004;
- r) Ron Lea of Via Architecture, December 1, 2004;
- s) Malcolm Crow, 7216 Brentwood Drive, December 2, 2004;
- t) Doreen M. Crow, 7216 Brentwood Drive, December 3, 2004.

Mayor Habkirk opened the floor for additional comments from the various letter writers.

Ms. Doreen Crow, 7216 Brentview Drive, advised that she was speaking to the issue on behalf of herself as well as Carolyn and Malcolm Crow. Ms. Crow expressed concern with respect to the scale and height of the proposed development, and stated that in her opinion the proposal is not appropriate for the area.

It was noted that Mr. Wayne Watkins, 7055 Wallace Drive, was not in attendance at the meeting to address his correspondence.

Mr. Peter King, 765 Harding Lane, expressed concern that this proposal does not conform to the Brentwood Bay Design Guidelines and stated that, in his opinion, the developers are pushing the District to approve a development at the expense of the local residents. Mr. King encouraged Council to carefully consider the impact that this development will have on the immediate neighbourhood.

Mr. Brian Donaldson, 7249 Kristin Place, advised that he had no further comments to offer at this time.

Ms. Angela Cisotto, 876 Verdier Avenue, stated that, in her opinion, this development proposal would not bring any positive benefits to the neighbourhood, and advised that a development such as Mattick's Farm would be more suitable for this particular area of Brentwood Bay.

It was noted that Ms. Claire Ebendinger, 914 Verdier Avenue, was not in attendance at the meeting.

It was noted that Ms. Eunice Webber, 7210 Hagan Avenue, was not in attendance at the meeting to address her correspondence.

Ms. Elizabeth Chambers, 901 Verdier Avenue, reminded Council that when the Brentwood Bay Lodge & Spa opened in May 2004, a promise was made to discuss with the local residents any issues and/or concerns that the residents may have with respect to the development and its business operations, and questioned whether or not this promise has been forgotten. She encouraged Council to organize a meeting with both the local residents and the proponents from Brentwood Bay Lodge & Spa for the purpose of discussing the impacts that the Lodge has had on the neighbourhood, and identifying any measures that may address the various issues and concerns that have been brought to the District's attention.

Mr. Peter Morton, 860 Verdier Avenue, expressed concern with respect to the proposed 3 storey height of the proposed building, and advised that he will lose all water views from his home if the proposed structure is more than one storey. Mr. Morton encouraged Council to listen to the concerns of the residents.

Ms. Julie Seeds 7226 Brentview Drive, advised that she had no further comments to offer at this time.

Mr. Douglas J. Seeds, 7226 Brentview Drive, advised that he feels the Council has provided poor stewardship of this particular area of Brentwood Bay, and that in his opinion another development of this magnitude will destroy the village ambience that many local residents enjoy. Mr. Seeds expressed concern that he will lose his views of Brentwood Bay if a three-storey building is approved, and encouraged Council to seriously listen to the many concerns that are being expressed by the neighbourhood residents.

Ms. Valerie Gardiner, 980 Sluggett Road, advised that she had no further comments to offer at this time.

Mr. Guy Lacey, 876 Verdier Avenue, was in attendance at the meeting and advised that he had no further comments to offer at this time.

Mr. John Creviston, 866 Verdier Avenue, advised that he is seriously concerned with the three-storey height of the proposed building and with the overall scale of the proposal.

Ms. Joyce Huska, 860 Verdier Avenue, advised that she had no further comments to offer at this time.

Mr. Tom Bilodeau, 887 Verdier Avenue, commented on the constant noise that emanates from the Brentwood Bay Lodge & Spa and questioned if the Mayor is bothered by the noise as much as other local residents.

Mr. Ron Lee, Via Architecture, stated that the proposed development should be based on form, character and use of the property. In this regard, he feels the proposal meets the District's Bylaws and Policies, that the character is consistent with the immediate neighbourhood, and that the proposed uses are compatible with the area.

In view of the correspondence and comments received, Council was of the opinion that the Chair of the Planning & Development Committee should meet with both the local residents and with representatives from Brentwood Bay Lodge & Spa for the purpose of discussing the various concerns that have been brought to the District's attention by the local residents with respect to the development proposal, and identifying measures to address the impacts of the proposal on the immediate neighbourhood.

09.05

MOVED BY COUNCILLOR HADDON
SECONDED BY COUNCILLOR KOROL

That the correspondence be received, and the Chair of the Planning & Development Committee be requested to meet with the impacted residents and representatives from the Brentwood Bay Lodge & Spa as required to encourage a process of dialogue between the parties and an identification of appropriate measures to address the letter writers' concerns and the impacts of the Lodge on the local neighbourhood.

CARRIED UNANIMOUSLY

5. E Chambers, 901 Verdier Avenue Re: Brentwood Bay Lodge & Spa Dock Extension Application

- a) Correspondence dated November 23, 2004 from Elizabeth Chambers, 901 Verdier Avenue Re: Brentwood Bay Lodge & Spa Dock Extension Application.

Ms. Elizabeth Chambers, 901 Verdier Avenue, addressed her concerns with respect to the increased activity of boats and float planes in Brentwood Bay and the impact that an expansion to the existing dock at the Brentwood Bay Lodge & Spa development will have on the area, and encouraged Council to reconsider this application.

During a brief discussion around the table in regards to this matter, Councillor King expressed concern that the proposed expansion to this particular dock to allow float planes would be precedent setting.

The correspondence was received for information without a motion.

6. K and B Hipwell Re: Tree Replacement in Saanichton Bay Park

- a) Correspondence dated November 11, 2004 from Karen and Bill Hipwell, #3191 – 2800 Ferguson Road Re: Tree Replacement in Saanichton Bay Park.

It was noted that the letter writers were not in attendance at the meeting to address the correspondence.

The Administrator gave a brief overview of the tree removal and replacement that has taken place in Saanichton Bay Park, and responded to questions from members of Council.

10.05 MOVED BY COUNCILLOR HADDON
 SECONDED BY COUNCILLOR GRAHAM
 That the correspondence be received, and an appropriate response be forwarded to the letter writers advising them of the background history and details with respect to the tree replacement activity which has recently been undertaken by the District in Saanichton Bay Park.
 CARRIED UNANIMOUSLY

7. Correspondence Pertaining to Agri-Tourism Issues/Oldfield Orchard

- a) Elizabeth Dunn & John Cochran to Minister of Agriculture, Food & Fisheries, November 11, 2004;
b) Minister of Agriculture, Food & Fisheries to Jerry Mussio, November 18, 2004;
c) Derek & Debbie Scott, Oldfield Orchard, November 23, 2004;
d) Jerry Mussio, 6202 Bryn Road, December 3, 2004; and
e) Jerry Mussio to Minister of Agriculture, Food & Fisheries, December 3, 2004.

It was noted that Elizabeth Dunn and John Cochran of 6212 Bryn Road were not in attendance at the meeting to address their correspondence.

Mr. Derek Scott, Oldfield Orchard, advised that the Octoberfest celebrations were a huge success this year, due mainly to the support from the community, and verbally acknowledged the various sponsors of this event.

It was noted that Mr. Jerry Mussio, 6202 Bryn Road, was not in attendance at the meeting.

11.05 MOVED BY COUNCILLOR KING
 SECONDED BY COUNCILLOR KOROL
 That the correspondence be received and referred to the appropriate future Committee Meeting when the Report from the Agri-Tourism Task Force is to be further considered by Council.
 CARRIED UNANIMOUSLY

8. Capital Bike & Walk Re: Establishing Bicycle Lanes as a Priority Treatment to Accommodate Cycling in the Capital Region

- a) Correspondence dated November 17, 2004 from John Luton, Executive Director – Capital Bike & Walk Re: Establishing Bicycle Lanes as a Priority Treatment to Accommodate Cycling in the Capital Region.

12.05 MOVED BY COUNCILLOR KOROL
 SECONDED BY COUNCILLOR KING
That the correspondence be received, and the recommended bike lane policy materials which are attached to the correspondence be forwarded to the Official Community Plan Update/Review process for further consideration, and Staff be requested in the interim to review these materials and, if deemed warranted, provide recommendations to Council on any suggested revisions to the District's policies in this regard.
 CARRIED UNANIMOUSLY

9. Correspondence Pertaining to Bike Lanes (Mt. Newton Cross Road from East Saanich Road to Highway 17

- a) Correspondence dated November 17, 2004 from John Luton, Executive Director - Capital Bike & Walk;
b) Correspondence dated November 19, 2004 from Brian Twohig, Sidney Velo Cycling Club.
The Administrator briefly addressed the correspondence and advised that the District is proposing to submit a grant application to the Province in early 2005 to help offset the total cost of constructing bicycle lanes on Mt. Newton Cross Road.

13.05 MOVED BY COUNCILLOR KING
 SECONDED BY COUNCILLOR THOMPSON
That the correspondence be received, and the letters be included in any future grant application package that is to be submitted by the District for Provincial grant funding to offset a portion of the costs of construction of the proposed Mt. Newton Cross Road bike lane project.
 CARRIED UNANIMOUSLY

10. W Watkins Re: Book Drop at Central Saanich Library Branch

- a) Email correspondence dated November 17, 2004 from Wayne Watkins, 7055 Wallace Drive Re: Book Drop at Central Saanich Library Branch.

It was noted that the letter writer was not in attendance at the meeting to address the correspondence.

During a brief discussion around the table, it was suggested that Councillor Graham discuss this matter further with Mr. Watkins and the Greater Victoria Public Library.

14.05 MOVED BY COUNCILLOR THOMPSON
 SECONDED BY COUNCILLOR KING
That the correspondence be received, and after consultation with the Manager of Community Services on potential options to address the concerns expressed by the letter writer, Councillor Graham be requested to discuss this matter further with Mr. Watkins and pursue a potential resolution with the Greater Victoria Public Library.
 CARRIED UNANIMOUSLY

11. Central Saanich Ratepayers Re: Proposal for Utilization of Traffic Fine Revenue

- a) Correspondence dated November 18, 2004 from Peter King, Chair – Central Saanich Ratepayers and Elizabeth Chambers, Secretary – Central Saanich Ratepayers Re: Proposal for Utilization of Traffic Fine Revenue.

- 15.05 MOVED BY COUNCILLOR GRAHAM
 SECONDED BY COUNCILLOR KING
That the correspondence be received and referred to the appropriate future Committee Meeting when recommendations with respect to allocation of the Traffic Fine Revenue from the Province are to be considered by Council.
 CARRIED UNANIMOUSLY

12. DA Boag Re: Stewardship and Protection of Green Space in the District

- a) Correspondence dated November 22, 2004 from Dr. David A. Boag, 6746 Amwell Drive Re: Stewardship and Protection of Green Space in the District.

Dr. David A. Boag, 6746 Amwell Drive, was in attendance at the meeting and gave an overview of his correspondence with respect to a proposed conservation covenant for Gore Park, the proposed acquisition for park purposes of the two (Verhagen) properties located south of Benvenuto Avenue, the proposed Tree Protection Covenant in connection with the subdivision located at the intersection of Wallace Drive and Hagan Road, and the proposed "Stewardship Program" initiative.

- 16.05 MOVED BY COUNCILLOR HADDON
 SECONDED BY COUNCILLOR KING
That the correspondence be received, and Staff be requested to contact the Habitat Acquisition Trust and The Land Conservancy to determine whether these agencies may be interested in pursuing a third-party conservation covenant for Gore Park, and Council be advised of the response.
 CARRIED UNANIMOUSLY

- 17.05 MOVED BY COUNCILLOR HADDON
 SECONDED BY COUNCILLOR KING
That a letter be written to Capital Regional District (CRD) Parks inquiring as to whether there may be any interest on the part of CRD Parks to pursue the acquisition for park purposes of the two (Verhagen) properties located south of Benvenuto Avenue which are referenced in the correspondence, and Council be advised of the response.
 CARRIED UNANIMOUSLY

- 18.05 MOVED BY COUNCILLOR HADDON
 SECONDED BY COUNCILLOR KING
That the letter writer's recommendations in regards to the Tree Protection Covenant in connection with the subdivision located at the intersection of Wallace Drive and Hagan Road be referred to the Approving Officer for further consideration and action as deemed appropriate.
 CARRIED UNANIMOUSLY

- 19.05 MOVED BY COUNCILLOR HADDON
 SECONDED BY COUNCILLOR KOROL
That the letter writer's suggested "Stewardship Program" initiative which is referenced in the correspondence be forwarded to the next edition of the Community Focus Newsletter with Council's recommendation that it be given a high priority for inclusion as a story item, and further that appropriate information on this initiative also be considered for posting on the municipal website.
 CARRIED UNANIMOUSLY

13. School District No. 63 (Saanich) Re: Request for Future Participation in Official Community Plan Processes

- a) Correspondence dated November 23, 2004 from Hanne Kohout, Chair – Board of School Trustees, School District No. 63 (Saanich) Re: Request for Future Participation in Official Community Plan Processes.

The correspondence was received for information without a motion.

14. Town of Sidney Re: Highway 17 Works

- a) Correspondence dated November 23, 2004 from Mayor Don Amos, Town of Sidney Re: Highway 17 Works.

Councillor King suggested that this information be forwarded to both the Tsawout and Tsartlip First Nations for informational purposes.

- 20.05 MOVED BY COUNCILLOR KING
 SECONDED BY COUNCILLOR KOROL
 That the correspondence be received, and the materials be faxed to both the Tsawout and Tsartlip First Nations for information.
 CARRIED UNANIMOUSLY

15. Jones Emery Hargreaves Swan Re: Lions Cove, 1196 Sluggett Road

- a) Correspondence dated November 30, 2004 from Peter Vaartnou, Jones Emery Hargreaves Swan Re: Lions Cove, 1196 Sluggett Road.

Mr. Peter Vaartnou, Solicitor for the residents of Lions Cove, advised that a number of his clients have expressed concern with the proposed removal of the seniors' residency restriction on the building, and advised that many of the residents enjoy living at this location because of the quiet nature of a seniors-oriented building.

The Administrator advised that the proposed amendments to the Lions Cove Housing Agreement are currently being reviewed by both the District's Solicitor and Mr. Vaartnou, and that this matter will be brought back to a future Committee Meeting for further discussion.

- 21.05 MOVED BY COUNCILLOR GRAHAM
 SECONDED BY COUNCILLOR THOMPSON
 That the correspondence be received and referred to the appropriate future Committee Meeting when the forthcoming Staff Memorandum on the Lions Cove issue is to be considered by Council.
 CARRIED UNANIMOUSLY

REPORTS OF COMMITTEES:

Standing Committees:

Planning & Development Committee – November 22, 2004

- 22.05 MOVED BY COUNCILLOR THOMPSON
 SECONDED BY COUNCILLOR GRAHAM
 That the Minutes of the Planning & Development Committee Meeting held on November 22, 2004 be adopted as circulated.
 CARRIED UNANIMOUSLY

1. Proposed Rezoning and Development Permit Application – Brentwood Bay Garden Villas, 800 Block Verdier Avenue

Council held a very lengthy discussion in regards to the proposed Garden Villas development in the 800 block of Verdier Avenue, during which time the following issues and concerns were noted:

- concerns were expressed with respect to the proposed three-storey height of the residential building on the site;
- in view of the questions and concerns raised by local residents in the general vicinity of the proposed development with respect to building height, density, probable loss of water views, parking and vehicular traffic, perhaps the Developers should conduct a further public consultation process in an attempt to address the various concerns and issues that have been raised by the immediate neighbourhood;

- a suggestion was made that the District indicate to the Developer that future commercial use of the property is acceptable, however the magnitude of any proposal for this particular area needs to be carefully designed so as to minimize any impact on the immediate neighbourhood.

23.05 **** DEFEATED ****

MOVED BY COUNCILLOR THOMPSON
SECONDED BY COUNCILLOR GRAHAM

That the Staff Memorandum dated November 17, 2004 entitled "Proposed Rezoning and Development Permit Application – Brentwood Bay Garden Villas, 800 Block Verdier Avenue" be received, and:

- a) *Staff be authorized to prepare the appropriate Zoning Bylaw Amendment to rezone Lots 6, 8 and 9 (800 Block Verdier Avenue) to a new Commercial zoning category to facilitate the proposed development as presented on plans dated September 16, 2004 and subsequently revised and dated November 15, 2004; and*
- b) *The Bylaw be forwarded to a future Council Meeting for consideration of the necessary readings and referral to a Public Hearing.*

MOTION DEFEATED

OPPOSED: MAYOR HABKIRK, COUNCILLORS HADDON, KOROL, KING AND THOMPSON

24.05 MOVED BY COUNCILLOR THOMPSON
SECONDED BY COUNCILLOR KOROL

That the Staff Memorandum dated November 17, 2004 entitled "Proposed Rezoning and Development Permit Application – Brentwood Bay Garden Villas, 800 Block Verdier Avenue" be received, and the Applicant be encouraged to undertake further redesign discussions with Staff, with particular attention to be focused on issues related to density and parking.

BEFORE THE QUESTION WAS CALLED, it was

25.05 MOVED BY COUNCILLOR GRAHAM
SECONDED BY COUNCILLOR KING

That the foregoing motion be amended by including the following words at the end of the motion:

“, traffic impacts associated with the two developments, and viewscape.”

THE QUESTION WAS CALLED ON THE AMENDING MOTION
CARRIED UNANIMOUSLY

THE QUESTION WAS THEN CALLED ON THE MAIN MOTION, AS AMENDED
CARRIED UNANIMOUSLY

2. Proposed Rezoning and Development Permit Application for Dock Expansion Adjacent to Brentwood Bay Lodge, 849 Verdier Avenue

26.05 MOVED BY COUNCILLOR THOMPSON
SECONDED BY COUNCILLOR GRAHAM

That the Staff Memorandum dated November 16, 2004 entitled "Proposed Rezoning and Development Permit Application for Dock Expansion Adjacent to Brentwood Bay Lodge, 849 Verdier Avenue" be received, and the Application be forwarded to the Saanich Inlet Protection Society for review and comment.

CARRIED UNANIMOUSLY

27.05 **** DEFEATED ****
 MOVED BY COUNCILLOR THOMPSON
 SECONDED BY COUNCILLOR GRAHAM
 That:

1. *Staff be authorized to prepare the appropriate Zoning Bylaw Amendment to rezone the existing dock and proposed dock extension to a new Water (W-2) Zone, and that the proposed permitted uses for the new zone also include "Fish Packing and Processing"; and*
2. *The Bylaw be forwarded to a future Council Meeting for consideration of the necessary readings and referral to a Public Hearing; and*
3. *Subsequent consideration of a Development Permit for the proposed dock expansion be subject to the following conditions:*
 - *construction of permanent sewage pump-out facilities as part of the dock extension;*
 - *separate facilities be provided and maintained for the containment and disposal of oil and solid waste material (eg. garbage containers on the dock);*
 - *provision of a dock hydrant to the satisfaction of the Fire Department; and*
 - *any other conditions as may be imposed by Council.*

BEFORE THE QUESTION WAS CALLED, it was

28.05 AMENDMENT
 MOVED BY COUNCILLOR GRAHAM
 SECONDED BY COUNCILLOR THOMPSON
 That the foregoing motion be amended to require that appropriate plans or documentation be included or attached to the proposed Zoning Bylaw Amendment so as to ensure that the proposed expansion project is limited to that which is currently being applied for.

THE QUESTION WAS CALLED ON THE AMENDING MOTION
THE AMENDING MOTION CARRIED
OPPOSED: COUNCILLORS KING AND KOROL

THE QUESTION WAS THEN CALLED ON THE MAIN MOTION, AS AMENDED
THE MAIN MOTION, AS AMENDED, WAS DEFEATED
OPPOSED: COUNCILLORS HADDON, KING AND KOROL

3. Development Variance Permit Application – 770 Sea Drive

29.05 MOVED BY COUNCILLOR THOMPSON
 SECONDED BY COUNCILLOR KOROL
 That the Staff Memorandum dated November 16, 2004 entitled "Development Variance Permit Application – 770 Sea Drive" be received, and in connection with the property located at 770 Sea Drive:

1. *Council propose to consider the issuance of a Development Variance Permit to vary:*
 - *the maximum allowable building height from 4.5 metres (panhandle lot) to 5.63 metres;*
 - *the maximum allowable front yard setback from 7.5 metres to 3.65 metres;*
 - *the maximum allowable driveway grade from 15% to approximately 25% (existing driveway grade); and*
 - *the lot coverage from 25.0% (panhandle lot) to 29.1%; and*
2. *Staff be instructed to undertake the statutory notification procedures.*

CARRIED UNANIMOUSLY

4. Development Variance Permit Application – 1915 Lisnoe Avenue

- 30.05 MOVED BY COUNCILLOR THOMPSON
 SECONDED BY COUNCILLOR KOROL
That the Staff Memoranda dated November 16, 2004 entitled “Development Variance Permit Application – 1915 Lisnoe Avenue” be received, and in connection with the proposed subdivision of Lot 2, Section 6, Range 2 East, South Saanich District, Plan 488 (1915 Lisnoe Avenue):
1. *Council propose to consider the issuance of a Development Variance Permit to vary the engineering subdivision standards required by Bylaw with respect to:*
 - *the minimum municipal road right-of-way on Lisnoe Avenue from 16 m to 10 m (3m dedication for this development); and*
 - *the road construction on Lisnoe Avenue from a width of 8.5 m to 6 m; and*
 2. *Staff be instructed to undertake the statutory notification procedures.*

CARRIED UNANIMOUSLY

Public Works, Transportation & Economic Development – November 22, 2004

- 31.05 MOVED BY COUNCILLOR THOMPSON
 SECONDED BY COUNCILLOR GRAHAM
That the Minutes of the Public Works, Transportation & Economic Development Committee Meeting held on November 22, 2004 be adopted as circulated.
CARRIED UNANIMOUSLY

1. BC Transit/Victoria Regional Transit System “Saanich Peninsula Transit Review Draft No. 3”

- 32.05 MOVED BY COUNCILLOR THOMPSON
 SECONDED BY COUNCILLOR GRAHAM
That the presentation from BC Transit in regards to the BC Transit/Victoria Regional Transit System “Saanich Peninsula Transit Review Draft No. 3” be received with thanks, and BC Transit be commended for its work and consultation efforts on this particular project.
CARRIED UNANIMOUSLY

2. Vehicular Traffic on Peden Lane

- 33.05 MOVED BY COUNCILLOR THOMPSON
 SECONDED BY COUNCILLOR GRAHAM
That the Memorandum dated October 14, 2004 from the Chief Constable of the Central Saanich Police Service entitled “Vehicular Traffic on Peden Lane” be received for information, and as time and resources permit, the District propose to initiate in 2005 an appropriate process involving residents of the Moodyville area (Peden Lane west) to discuss the related issues of vehicular traffic, speeding, parking, traffic flow patterns, congestion and pedestrian safety in the neighbourhood, and to explore potential measures and options to address the various concerns in this regard.
CARRIED UNANIMOUSLY

Administration & Finance Committee – November 22, 2004

- 34.05 MOVED BY COUNCILLOR GRAHAM
 SECONDED BY COUNCILLOR THOMPSON
That the Minutes of the Administration & Finance Committee Meeting held on November 22, 2004 be adopted as circulated.
CARRIED UNANIMOUSLY

Administration & Finance Committee – November 29, 2004

35.05 MOVED BY COUNCILLOR GRAHAM
 SECONDED BY COUNCILLOR THOMPSON
 *That the Minutes of the Administration & Finance Committee Meeting held on
November 29, 2004 be adopted as circulated.*
 CARRIED UNANIMOUSLY

1. 2005 Grants-in-Aid

36.05 MOVED BY COUNCILLOR GRAHAM
 SECONDED BY COUNCILLOR THOMPSON
 *That a 2005 grant-in-aid in the amount of \$500 be authorized to the Friends of
AMAR-B Society.*
 CARRIED
 OPPOSED: COUNCILLOR KOROL

37.05 MOVED BY COUNCILLOR GRAHAM
 SECONDED BY COUNCILLOR THOMPSON
 *That a 2005 grant-in-aid in the amount of \$1,500 be authorized to
Peninsula Streams.*
 CARRIED UNANIMOUSLY

38.05 MOVED BY COUNCILLOR GRAHAM
 SECONDED BY COUNCILLOR THOMPSON
 *That correspondence be forwarded to all of the 2005 grant-in-aid recipients
putting them on notice that Council will be reviewing its grants-in-aid
allocation policies for the 2006 grants-in-aid process, and that it is
reasonable to anticipate that changes to the District's historical approvals of
certain grants-in-aid may be forthcoming as a result of that review process.*
 CARRIED UNANIMOUSLY

2. Year 2005-2009 Financial Plan Issues

39.05 MOVED BY COUNCILLOR GRAHAM
 SECONDED BY COUNCILLOR THOMPSON
 *That at this time, and subject to further discussion in conjunction with the 2005-
2009 Financial Plan and Strategic Planning processes, Council indicate to Staff
its view of the major Planning Projects for 2005 ranked in order of priority as
follows:*

1. *Brentwood Revitalization Project (c/o);*
2. *Regional Growth Strategies Regional Context Statement for Official
Community Plan (OCP);*
3. *Secondary Suite Review;*
4. *Land Use Bylaw Redraft Legal Review; and*
5. *OCP Review/Update.*

BEFORE THE QUESTION WAS CALLED, it was

40.05 MOVED BY COUNCILLOR THOMPSON
 SECONDED BY COUNCILLOR GRAHAM
 *That the foregoing motion be amended by including "Agri-Tourism
Policies/Regulations (c/o)" as Item 3, and the order of the remaining priorities be
renumbered accordingly.*

THE QUESTION WAS CALLED ON THE AMENDING MOTION
CARRIED UNANIMOUSLY

THE QUESTION WAS CALLED ON THE MAIN MOTION, AS AMENDED
CARRIED
OPPOSED: COUNCILLOR KING

-
- 41.05 MOVED BY COUNCILLOR THOMPSON
 SECONDED BY COUNCILLOR HADDON
That the issue of potentially undertaking in 2005 an update of the District's Housing Capacity data be referred to Staff for comment.
CARRIED UNANIMOUSLY
- 42.05 MOVED BY COUNCILLOR GRAHAM
 SECONDED BY COUNCILLOR THOMPSON
That at this time, and subject to further discussion in conjunction with the 2005-2009 Financial Plan and Strategic Planning processes, Council indicate to Staff its view of the major Community Services Projects for 2005 ranked in order of priority as follows:
1. *Saanichton Green Development (c/o);*
 2. *Alexander Field Development (c/o);*
 3. *(Permanent) Skate Park (c/o);*
 4. *Newman park Management Plan Process (c/o);*
 5. *Woodward/Tanner Park Design; and*
 6. *Strategy/Priorities for Park/Playfield Development.*
- CARRIED UNANIMOUSLY
- 43.05 MOVED BY COUNCILLOR GRAHAM
 SECONDED BY COUNCILLOR THOMPSON
That at this time, and subject to further discussion in conjunction with the 2005-2009 Financial Plan and Strategic Planning processes, Council indicate to Staff its view of the major Administration and Finance Projects for 2005 ranked in order of priority as follows:
1. *Facilities Planning (c/o);*
 2. *Compensation/Job Evaluation (c/o);*
 3. *Water Utility Rates Review and Possible Restructure;*
 4. *Servicing Agreement (Tsartlip); and*
 5. *I.T. Strategic Plan Update;*
- however prior to Council commencing any major review or possible restructure of the District's Water Utility Rates system, Staff be requested to present to Council a brief preliminary report on the possible ramifications and implications of converting to a Water Utility Rate billing system which is based entirely on consumption.*
- CARRIED UNANIMOUSLY
- 44.05 MOVED BY COUNCILLOR GRAHAM
 SECONDED BY COUNCILLOR THOMPSON
That the foregoing motion be amended by adjusting the ranking of the proposed Water Utility Rates Review and Possible Restructure project from third to fifth, pending the receipt and review by Council of the preliminary report from Staff which is referenced in the motion.
CARRIED UNANIMOUSLY
- 45.05 MOVED BY COUNCILLOR GRAHAM
 SECONDED BY COUNCILLOR THOMPSON
That at this time, and subject to further discussion in conjunction with the 2005-2009 Financial Plan and Strategic Planning processes, Council indicate to Staff its view of the major Engineering and Public Works Projects for 2005 ranked in order of priority as follows:
1. *Brentwood Revitalization Construction (c/o);*
 2. *Saanichton Bay Park Erosion Control (c/o);*
 3. *Integrated Storm Water Management Plan (c/o);*
 4. *Streets and Traffic Bylaw Redraft;*
 5. *Truck Routes (Consultation); and*
 6. *Moodyville Traffic/Parking/Congestion Issues (possible in 2005).*

BEFORE THE QUESTION WAS CALLED, it was

- 46.05 MOVED BY COUNCILLOR GRAHAM
 SECONDED BY COUNCILLOR THOMPSON
 That the foregoing motion be amended by adjusting the ranking of the proposed Moodyville Traffic/Parking/Congestion Issues (possible in 2005) from sixth to fifth.

THE QUESTION WAS CALLED ON THE AMENDING MOTION
CARRIED UNANIMOUSLY

THE QUESTION WAS CALLED ON THE MAIN MOTION, AS AMENDED
CARRIED UNANIMOUSLY

Advisory Committees:

1. Central Saanich Heritage Commission Re: Saanich Inlet – Heritage Values

- a) Memorandum dated November 15, 2004 from Trevor May, Chair – Central Saanich Heritage Commission Re: Saanich Inlet – Heritage Values.

Ms. Sue Stroud, representing the Central Saanich Heritage Commission, addressed the Commission's request that the heritage and historical values of the Saanich Inlet and Brentwood Bay be taken into account when development of properties in this area are being by Council.

- 47.05 MOVED BY COUNCILLOR THOMPSON
 SECONDED BY COUNCILLOR KING
 That the Memorandum dated November 15, 2004 from the Central Saanich Heritage Commission entitled "Saanich Inlet – Heritage Values" be received for information, and the Commission be invited to provide further commentary or recommendations to Council in regards to any noted deficiencies or suggested revisions or additions to District Bylaws, Plans or Policies to better address the objectives discussed in the Memorandum.
 CARRIED UNANIMOUSLY

Regular Status Reports from Members of Council Who Participate on Advisory Bodies, Committees, Boards or Commissions:

- 1. Capital Regional District (CRD) –** Mayor Habkirk briefly reported on the election of the CRD Board Chair at the December 8th, 2004 Inaugural CRD Board Meeting. Councillor Graham advised that the Juan de Fuca Land Use Committee will be meeting on December 7th, 2004 at 7:00 pm at the Malahat Fire Hall.

2. Peninsula Recreation Commission (PRC)

- Correspondence dated November 26, 2004 from Tim Chad, Chair – Peninsula Recreation Commission Re: PRC 2004 Strategic Plan.

- 48.05 MOVED BY COUNCILLOR HADDON
 SECONDED BY COUNCILLOR THOMPSON
 That the correspondence be received, and representatives from the Peninsula Recreation Commission be invited to attend an appropriate Committee Meeting in either January or February 2005 to discuss the PRC's Strategic Plan.
 CARRIED UNANIMOUSLY

3. First Nations

- 2004 Community to Community Forum (Status/Update Re: Confirmation of Proposed Dates – February 8 and 10, 2005 – and Approval of Revised Fee Proposal from Consultant)

The Administrator briefly overviewed the revised dates of February 8th and 10th, 2005 and the revised consulting/facilitation fee of \$2,311.20 for the proposed Community to Community Forum.

49.05 MOVED BY COUNCILLOR KING
 SECONDED BY COUNCILLOR KOROL
That Council confirm the dates of February 8th and 10th, 2005 for the Central Saanich/Tsawout/Tsartlip Community to Community Forum, and Council authorize the execution of a contract with ADR Education in the revised amount of \$2,311.20 to provide consulting/facilitation services for the Forum.
 CARRIED UNANIMOUSLY

4. Parks Projects – Councillor Haddon provided a brief update on the current status of the following Parks projects:

- a) Saanichton Green Improvement Project
 - design drawings have been revised and will be presented to Council at the next Parks and Facilities Committee Meeting scheduled for Dec 13th/04;
- b) Butterfield Gardens Restoration
 - another successful work party to remove invasive plants was held on Saturday, Nov 20th;
 - arboreal work scheduled for 2004 has now been completed;
 - this will allow more light to penetrate through to the forest floor and support restoration of historical landscaped beds;
 - over 30 varieties of mushrooms and fungi have been observed in the park this Fall;
 - documentation and identification by community volunteers;
- c) Permanent Skate Park Initiative
 - Council representatives and Staff met with Central Saanich Lions Club members on Dec 1/04 to review progress to date and discuss next steps for this initiative;
- d) Alexander Field Improvements Project
 - development of a Field Use Agreement is now close to being finalized;
 - the District anticipates hearing back from the Peninsula Soccer Association with regard to this document and their position with respect to proceeding with field design;

5. Brentwood Traffic Corridor Revitalization Project – Status/Update: Wallace Drive/West Saanich Road Roundabout Review

The Administrator gave a verbal update on the current status of the Wallace Drive/West Saanich Road Roundabout, and responded to several questions from members of Council.

6. Capital Region Emergency Services Telecommunications (CREST)

- Correspondence dated November 10, 2004 from CREST General Manager re: Crest Annual General Meeting – Request to Approve Resolutions

50.05 MOVED BY COUNCILLOR GRAHAM
 SECONDED BY COUNCILLOR THOMPSON
That Council adopt the following resolutions as recommended by the CREST General Manager:

- a) *That Council receive and approve the 2004 Crest Directors Report;*
- b) *That Council receive and approve the December 31, 2003 Audited Financial Statements;*
- c) *That Council approve the re-appointment of KPMG Chartered Accountants as Auditors for CREST;*
- d) *That Council approve the Members' Levy for 2005 as proposed;*
- e) *That Council approve the CREST 2005 Operating Budget as proposed; and*
- f) *That Council approve the CREST 2005 Capital Budget as proposed.*

CARRIED UNANIMOUSLY

- 51.05 MOVED BY COUNCILLOR GRAHAM
 SECONDED BY COUNCILLOR THOMPSON
 That Mayor Habkirk be appointed as Council's representative on the Board of Directors of the Capital Region Emergency Services Telecommunications (CREST) Corporation.
 CARRIED UNANIMOUSLY

7. Councillor King Re: Update on Recent Activities

- a) Memorandum dated November 24, 2004 from Councillor Zeb King Re: Update on Various Recent Events and Activities.

The Memorandum was received for information without a motion.

STAFF MEMORANDA AND REPORTS:

1. Recommended Section 57 Notices on Title/Remedial Action Orders

a) 7161 Wallace Drive – Clubhouse Constructed in Accessory Storage Building

- Staff Memorandum dated October 29, 2004 from Roy Thomassen, Chief Building Inspector Re: Notice on Title – 7161 Wallace Drive, Clubhouse Constructed in Accessory Storage Building.

The District's Chief Building Inspector, Mr. Roy Thomassen, provided a comprehensive overview of the Staff Memorandum in regards to the proposed Notice on Title for property located at 7161 Wallace Drive (clubhouse constructed in accessory storage building), and responded to questions from members of Council.

It was noted that the property owner was not in attendance at the meeting.

- 52.05 MOVED BY COUNCILLOR THOMPSON
 SECONDED BY COUNCILLOR HADDON
 That the District of Central Saanich Municipal Clerk file a notice in the Victoria Land Title Office stating that a Resolution has been made under Section 57 of the Community Charter relating to property legally described as Lot A, Section 11, Range 1 East, South Saanich District, Plan 29820, PID 001-350-455 having a civic address of 7161 Wallace Drive, and that further information respecting the resolution may be inspected at the office of the Municipal Building Inspection Division during regular office hours.
 CARRIED UNANIMOUSLY

- 53.05 MOVED BY COUNCILLOR THOMPSON
 SECONDED BY COUNCILLOR HADDON
 That if the owner fails to resolve the violation through building permits, then at a future Council Meeting, Council consider imposing a remedial action order on the owner.
 CARRIED UNANIMOUSLY

b) Additional Property Located Adjacent to 7161 Wallace Drive – Dwelling Unit Constructed in Accessory Horse Stable Building

- Staff Memorandum dated October 29, 2004 from Roy Thomassen, Chief Building Inspector Re: Notice on Title – Lot 8, Block 2, Section 11, Range 1 East, South Saanich District, Plan 160, Additional Property Located Adjacent to 7161 Wallace Drive – Dwelling Unit Constructed in Accessory Horse Stable Building.

The Chief Building Inspector provided an overview of the Staff Memorandum in regards to the proposed Notice on Title for the additional property located adjacent to 7161 Wallace Drive (dwelling unit constructed in accessory horse stable building), and responded to questions from members of Council.

It was noted that the property owner was not in attendance at the meeting.

54.05 MOVED BY COUNCILLOR GRAHAM
 SECONDED BY COUNCILLOR THOMPSON
That the District of Central Saanich Municipal Clerk file a notice in the Victoria Land Title Office stating that a Resolution has been made under Section 57 of the Community Charter relating to the property legally described as Lot 8, Block 2, Section 11, Range 1 East, South Saanich District, Plan 1607, PID 007-137-567, and that further information respecting the resolution may be inspected at the office of the Municipal Building Inspection Division during regular office hours.
 CARRIED UNANIMOUSLY

55.05 MOVED BY COUNCILLOR GRAHAM
 SECONDED BY COUNCILLOR THOMPSON
That if the owner fails to resolve the violation through building permits, then at a future Council Meeting, Council consider imposing a remedial action order on the owner.
 CARRIED UNANIMOUSLY

c) 6820 Kirkpatrick Crescent – Second Floor Constructed Without Permits

- Staff Memorandum dated October 27, 2004 from Roy Thomassen, Chief Building Inspector Re: Notice on Title – 6820 Kirkpatrick Crescent – Second Floor Constructed Without Permits;
- Correspondence received December 6, 2004 Re: Notice on Title – 6820 Kirkpatrick Crescent – Second Floor Constructed Without Permits.

The Chief Building Inspector provided a comprehensive overview of the Staff Memorandum in regards to the proposed Notice on Title for property located at 6820 Kirkpatrick Crescent (second floor constructed without permits), and responded to questions from members of Council.

The property owner, Mr. Frank White, was in attendance at the meeting and described his frustrations when dealing with Staff on this issue over the past six months. He questioned the health and safety issues associated with the second floor, as noted in the Staff Report, and advised that he would have immediately addressed Staff's concerns in this regard had he been adequately informed of the specific issues from the beginning. Mr. White expressed concern that it has taken Staff six months to inform him of the deficiencies that need to be rectified in order to bring the construction up to code. He confirmed that he has contracted Mann Engineering to undertake a professional "building code analysis" of the subject property.

In discussion around the table in regards to the recommended "building code analysis", the health and safety issues associated with this property, and the potential liability to the District, it was suggested that Council proceed with the filing of a Section 57 Notice on Title for the property. It was further suggested, however, that in the interim Councillor Thompson and Staff meet with Mr. White to discuss the District's requirements and expectations with respect to the "building code analysis", and that further discussion and consideration of this matter be deferred until December 13, 2004. It was then,

56.05 **** DEFEATED ****
 MOVED BY COUNCILLOR THOMPSON
 SECONDED BY COUNCILLOR GRAHAM
That further discussion and consideration of the Section 57 Notice on Title for property located at 6820 Kirkpatrick Crescent (Second Floor Constructed Without Permits) be deferred to a Special (Open) Council Meeting to be held on December 13, 2004.
 MOTION DEFEATED
 OPPOSED: MAYOR HABKIRK, COUNCILLORS HADDON, KOROL AND THOMPSON

57.05 MOVED BY COUNCILLOR HADDON
SECONDED BY COUNCILLOR KOROL

That:

1. *the District of Central Saanich Municipal Clerk file a notice in the Victoria Land Title Office stating that a Resolution has been made under Section 57 of the Community Charter relating to the property legally described as Lot A, Section 13, Range 2 East, South Saanich District, Plan 47709, PID 012-550-493 having a civic address of 6820 Kirkpatrick Crescent, and that further information respecting the resolution may be inspected at the office of the Municipal Building Inspection Division during regular office hours, and*
2. *in accordance with the Community Charter sections 72 (1)(a) and 72 (2)(b)(iii) and sections 73 (1)(a), 73(2)(a), and 73(2)(b), the owner of the Property be required to:*
 - a) *engage an engineer or architect qualified in building code analysis and licensed to practice in B.C. to provide to the owner and the Building Inspector by January 5, 2004 a building code analysis of the west building on the property in relation to the B.C. Building Code 1998, identifying all health and safety deficiencies related to any alterations made to the building without a building permit and specifically the second floor construction in the north west corner of the west building;*
 - b) *engage the engineer or architect to prepare and seal construction drawings for the work required to bring the building and in particular the second floor construction into full compliance with the health and safety standards of the BC Building Code 1998; and*
 - c) *obtain the required building and plumbing permits and carry out the remedial work which has been identified by the engineer or architect by March 25, 2005, obtaining all inspections required by the building bylaw.*

CARRIED UNANIMOUSLY

58.05 MOVED BY COUNCILLOR HADDON
SECONDED BY COUNCILLOR KOROL

That if the owner fails to carry out the remedial work by March 25, 2005, then in accordance with section 77(3)(b) of the Community Charter the municipality take the actions described in Section 2 of the foregoing motion in accordance with section 17 of the Community Charter [municipal action at defaulter's expense] at the expense of the owner of the Property.

CARRIED UNANIMOUSLY

Councillor Thompson and the Chief Building Inspector were requested to meet with Mr. White to discuss the District's requirements and expectations, and that a brief summary report be brought back to Council at the December 13th, 2004 Special (Open) Council Meeting.

Motion to Extend Meeting Past 10:30 pm

59.05 MOVED BY COUNCILLOR THOMPSON
SECONDED BY COUNCILLOR KING

That the Regular Council Meeting held on December 6, 2004 be authorized to extend past 10:30 pm.

CARRIED UNANIMOUSLY

d) 6380 Old West Saanich Road – No Deck Guard

- Staff Memorandum dated October 26, 2004 from Roy Thomassen, Chief Building Inspector Re: Notice on Title – 6380 Old West Saanich Road – No Deck Guard.

The Chief Building Inspector overviewed the contents of the Staff Memorandum in regards to the proposed Notice on Title for the additional property located at 6380 Old West Saanich Road (no deck guard), and responded to questions from members of Council.

It was noted that the property owner was not in attendance at the meeting to address the issue.

- 60.05 MOVED BY COUNCILLOR THOMPSON
 SECONDED BY COUNCILLOR GRAHAM
That the District of Central Saanich Municipal Clerk file a notice in the Victoria Land Title Office stating that a Resolution has been made under Section 57 of the Community Charter relating to the property legally described as Lot 1, Section 16, Range 1 East, South Saanich District, Plan 32798, PID 000-192-414 having a civic address of 6380 Old West Saanich Road, and that further information respecting the resolution may be inspected at the office of the Municipal Building Inspection Division during regular office hours.
CARRIED UNANIMOUSLY

e) 8355 Lochside Drive – Accessory Building Converted to Additional Accommodations Without Building Permits

- Staff Memorandum dated October 26, 2004 from Roy Thomassen, Chief Building Inspector Re: Notice on Title – 8355 Lochside Drive – Accessory Building Converted to Additional Accommodations Without Building Permits.

The Chief Building Inspector gave an overview of the Staff Memorandum in regards to the proposed Notice on Title for property located at 8355 Lochside Drive (accessory building converted to additional accommodations without building permits), and responded to questions from members of Council.

Mr. Bedford Bates, 8375 Lochside Drive, advised that the property in question has been problematic for several years, and encouraged Council to proceed with the filing of a Section 57 Notice on Title for property located at 8355 Lochside Drive.

- 61.05 MOVED BY COUNCILLOR THOMPSON
 SECONDED BY COUNCILLOR GRAHAM
That the District of Central Saanich Municipal Clerk shall file a notice in the Victoria Land Title Office stating that a Resolution has been made under Section 57 of the Community Charter by the Council relating to land legally described as AM Lot 9, Section 1, Range 4E, South Saanich District, Plan 4863, PID: 004-260-791 and that further information respecting the resolution may be inspected at the office of the Municipal Building Inspection Division during regular office hours.
CARRIED UNANIMOUSLY

- 62.05 MOVED BY COUNCILLOR THOMPSON
 SECONDED BY COUNCILLOR GRAHAM
That if the owner fails to resolve the violation, by removing the additional accommodations through building permits, then at a future Council Meeting, Council consider imposing a remedial action order on the owner to resolve the violation.
CARRIED UNANIMOUSLY

BYLAWS:

1. **“Central Saanich Sewage Collection Area No. 1, Extension Bylaw No. 1514, 2004”**
[To Include Property Located at 7081 Central Saanich Road in Sewage Collection Area No. 1 – Pursuant to Council Motion Adopted on June 28, 2004]

- 63.05 MOVED BY COUNCILLOR THOMPSON
 SECONDED BY COUNCILLOR KOROL
That Bylaw No. 1514, cited as “Central Saanich Sewage Collection Area No. 1, Extension Bylaw No. 1514, 2004” be reconsidered, finally passed and adopted by Council.
CARRIED UNANIMOUSLY

2. **“Central Saanich Land Use Bylaw Amendment Bylaw No. 1512, 2004”** [To Create a New Residential Institutional (RP-2) Zone and to Rezone Property Located at 7601 East Saanich Road from Medium Lot Single Family Residential (R-1M) Zone to Residential Institutional (RP-2) Zone]

- 64.05 MOVED BY COUNCILLOR THOMPSON
 SECONDED BY COUNCILLOR GRAHAM
 *That Bylaw No. 1512, cited as "Central Saanich Land Use Bylaw Amendment
 Bylaw No. 1512, 2004" be given third reading.*
 CARRIED UNANIMOUSLY

UNFINISHED BUSINESS: None.

NEW BUSINESS/OTHER COMPETENT BUSINESS:

1. 2005 Council Appointments

- a) Capital Regional District Board (Regional Director and Alternate)
- 65.05 MOVED BY COUNCILLOR THOMPSON
 SECONDED BY COUNCILLOR GRAHAM
 *That the following individuals be appointed to the Capital Regional District Board
 for a further one-year term expiring in December, 2005:*
- *Mayor Allison Habkirk – Regional Director*
 - *Councillor Christopher Graham – Alternate Director.*
- CARRIED UNANIMOUSLY
- b) Saanich Peninsula Water Commission (Regional Director and Alternate; Councillor and Alternate – 1 Year Term)
- 66.05 MOVED BY COUNCILLOR THOMPSON
 SECONDED BY COUNCILLOR GRAHAM
 *That the following individuals be appointed to the Saanich Peninsula Water
 Commission for a one-year term expiring on December 31, 2005:*
- *Mayor Habkirk (Regional Director)*
 - *Councillor Graham (Alternate)*
 - *Councillor Korol (Member)*
 - *Councillor Thompson (Alternate).*
- CARRIED UNANIMOUSLY
- c) Saanich Peninsula Wastewater Committee (Regional District and Alternate; Councillor and Alternate – 1 Year Term)
- 67.05 MOVED BY COUNCILLOR THOMPSON
 SECONDED BY COUNCILLOR GRAHAM
 *That the following individuals be appointed to the Saanich Peninsula Water
 Commission for a one-year term expiring on December 31, 2005:*
- *Mayor Habkirk (Regional Director)*
 - *Councillor Graham (Alternate)*
 - *Councillor Korol (Member)*
 - *Councillor Thompson (Alternate).*
- CARRIED UNANIMOUSLY
- d) Peninsula Recreation Commission (Regional Director and Alternate; Councillor and Alternate – 1 Year Term)
- 68.05 MOVED BY COUNCILLOR THOMPSON
 SECONDED BY COUNCILLOR GRAHAM
 *That the following individuals be appointed to the Peninsula Recreation
 Commission for a one-year term expiring on December 31, 2005:*
- *Mayor Habkirk (Regional Director)*
 - *Councillor Graham (Alternate)*
 - *Councillor Haddon (Member)*
 - *Councillor Korol (Alternate)*
- CARRIED UNANIMOUSLY

e) Greater Victoria Public Library Board (Councillor – 1 Year Term)

69.05 MOVED BY COUNCILLOR THOMPSON
 SECONDED BY COUNCILLOR GRAHAM
 That Councillor Christopher Graham be appointed as the District's representative to the Greater Victoria Public Library Board for a further one-year term expiring in December 2005.
 CARRIED UNANIMOUSLY

f) Capital Region Emergency Telecommunications Services (CREST)

70.05 MOVED BY COUNCILLOR THOMPSON
 SECONDED BY COUNCILLOR GRAHAM
 That Mayor Habkirk be appointed as Council's representative on the Board of Directors of the Capital Region Emergency Services Telecommunications (CREST) Corporation.
 CARRIED UNANIMOUSLY

g) Central Saanich Heritage Commission

71.05 MOVED BY COUNCILLOR HADDON
 SECONDED BY COUNCILLOR GRAHAM
 That Council accept Councillor Thompson's resignation as Council's Co-Liaison to the Central Saanich Heritage Commission.
 CARRIED UNANIMOUSLY

2. Acting Mayors for 2005

72.05 MOVED BY COUNCILLOR THOMPSON
 SECONDED BY COUNCILLOR GRAHAM
 That Council receive the following list of Appointments of Acting Mayors for 2005:

<i>December/January</i>	<i>Councillor Mason</i>
<i>February/March</i>	<i>Councillor Thompson</i>
<i>April/May</i>	<i>Councillor Korol</i>
<i>June/July</i>	<i>Councillor Haddon</i>
<i>August/September</i>	<i>Councillor Graham</i>
<i>October/November</i>	<i>Councillor King</i>

CARRIED UNANIMOUSLY

3. Proposed Calendar of Meetings (December 2004)

73.05 MOVED BY COUNCILLOR THOMPSON
 SECONDED BY COUNCILLOR GRAHAM
 That the draft Calendar of Meetings for December 2004 be received for information and the contents noted.
 CARRIED UNANIMOUSLY

4. Brentwood Bay Traffic Corridor Revitalization Project – Tree Replacement Plan

74.05 MOVED BY COUNCILLOR THOMPSON
 SECONDED BY COUNCILLOR KING
 Given that the Tree Replacement Plan in the Brentwood Bay Traffic Corridor Revitalization Project indicates that all trees are being removed without replacement from a stretch of sidewalk fronting 7175 West Saanich Road, Council consider a suitable streetscape landscape plan after the Project is completed, and encourage public contributions through the Gifting Program to support this landscaping project.
 CARRIED UNANIMOUSLY

- 75.05 MOVED BY COUNCILLOR THOMPSON
 SECONDED BY COUNCILLOR KING
Given that the Tree Replacement Plan in the Brentwood Bay Traffic Corridor Revitalization Project indicates that three plane trees are being removed from the south end of Pioneer Park and are being replaced by a single tree, Council encourage a suitable landscaping scheme in this region of the park (which may include more trees) at the time of the restoration of the old school house, and encourage public contributions through the Gifting Program to support this landscaping project.
 CARRIED UNANIMOUSLY

CORRESPONDENCE (Receive for General Information):

1. **Association of BC Forest Professionals Re: Foresters Act** – Correspondence dated October 9, 2004 from Dwight Yochim, Manager, Forestry and Communications - Association of BC Forest Professionals Re: Foresters Act;
 2. **Copy of Correspondence from Ministry of Transportation to Central Saanich Police Service Re: Requested Speed Limit Reduction on Verdier Avenue** – Copy of Correspondence dated October 28, 2004 from Bob Webb, Acting Operations Manager – Ministry of Transportation to Deputy Chief Clayton Pecknold, Central Saanich Police Service Re: Requested Speed Limit Reduction on Verdier Avenue;
 3. **Victoria Family Court Committee Re: Annual Report for 2003/04** – Correspondence dated November 1, 2004 from Michael Jeffery, Chairperson – Victoria Family Court Committee Re: Annual Report for 2003/04;
 4. **G Foster Re: Municipal Health Care – Canada Health Act** – Correspondence dated November 2, 2004 from George D. Foster Re: Municipal Health Care – Canada Health Act;
 5. **Agricultural Land Commission Re: Approval of District’s Application for Trail Construction Along Unopened Road Allowance Adjacent to 7789 West Saanich Road (to Hagan Bight)** – Correspondence dated November 9, 2004 from K.B. Miller, Chief Executive Officer – Agricultural Land Commission Re: Approval of District’s Application for Trail Construction Along Unopened Road Allowance Adjacent to 7789 West Saanich Road (to Hagan Bight);
 6. **BC Transmission Corporation Re: Summary of 2004 Stakeholders Survey** – Correspondence dated November 10, 2004 Scott Woronuk, Vice-President – Business Planning and Strategy, BC Transmission Corporation Re: Summary of 2004 Stakeholders Survey;
 7. **Correspondence Pertaining to Treaty Negotiation Issues/Tsawwassen Treaty Table:**
 - Village of Belcarra to Attorney General and Minister Responsible for Treaty Negotiations, November 12, 2004;
 - District of West Vancouver to Attorney General and Minister Responsible for Treaty Negotiations, November 17, 2004;
 - District of West Vancouver to Chair of Lower Mainland Treaty Advisory Committee, November 17, 2004;
 - City of North Vancouver to Attorney General and Minister Responsible for Treaty Negotiations, November 19, 2004;
 8. **District of Highlands Re: Referral of Bear Mountain Comprehensive Development Proposal** – Referral dated November 16, 2004 from Laura Beckett, Planner – District of Highlands Re: Referral of Bear Mountain Comprehensive Development Proposal;
- 76.05 MOVED BY COUNCILLOR GRAHAM
 SECONDED BY COUNCILLOR HADDON
That the correspondence be received, and a letter be forwarded to the District of Highlands indicating that, in general, the District of Central Saanich has concerns with any proposed expansion of the urban containment boundary throughout the region, and its implications for the Regional Growth Strategy.
 CARRIED UNANIMOUSLY

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- 9. Correspondence from BC Hydro:**
- Integrated Electricity Planning – First Nations and Stakeholder Engagement, November 16, 2004;
 - 2005 Rate Increases, November 18, 2004;
- 77.05 MOVED BY COUNCILLOR GRAHAM
 SECONDED BY COUNCILLOR KOROL
 That the correspondence be received, and Councillor King be designated as Council's liaison to any processes that may be established by BC Hydro for this particular purpose.
 CARRIED UNANIMOUSLY
- 10. United Steelworkers of America Re: Viability of Coastal Forest Industry –**
Correspondence dated November 17, 2004 from Stephen Hunt, Director – United Steelworkers of America Re: Viability of Coastal Forest Industry;
- 11. Western Canada Wilderness Committee Re: Western Canada's Endangered Wilderness and Canadian Endangered Wildlife Calendars –** Correspondence dated November 17, 2004 from Joe Foy, National Campaign Director – Western Canada Wilderness Committee Re: Western Canada's Endangered Wilderness and Canadian Endangered Wildlife Calendars;
- 12. Minister of Management Services Re: 2004 Grants-in-Lieu of Taxes –**
Correspondence dated November 15, 2004 from Joyce Murray, Ministry of Management Services Re: 2004 Grants-in-Lieu of Taxes;
- 13. West Coast Environment Law Re: Smart Bylaws Guide –** Correspondence dated November 19, 2004 from Deborah Curran, West Coast Environment Law Re: Smart Bylaws Guide;
- 14. Business Victoria Economic Development Commission Re: First Edition of Greater Victoria Economic Pulse Publication –** Correspondence dated November 23, 2004 from Ken Stratford, Commissioner – Business Victoria Economic Development Commission Re: First Edition of *Greater Victoria Economic Pulse* Publication;
- 15. Correspondence from the University of Victoria:**
- UVIC Report 2004, November 23, 2004;
 - UVIC Co-operative Education Program, November 23, 2004;
- 16. Ministry of Small Business and Economic Development Re: Olympic/Paralympic Live Sites –** Correspondence dated November 24, 2004 from John Les, Minister of Small Business and Economic Development Re: Olympic/Paralympic Live Sites;
- 78.05 MOVED BY COUNCILLOR THOMPSON
 SECONDED BY COUNCILLOR GRAHAM
 That the correspondence be received, and the package of materials be forwarded to the Peninsula Recreation Commission for appropriate action or recommendation as deemed appropriate.
 CARRIED UNANIMOUSLY
- 17. Ministry of Community, Aboriginal and Women's Services Re: Libraries Without Walls: The World Within Your Reach –** Publication from the Ministry of Community, Aboriginal and Women's Services Entitled "Libraries Without Walls: The World Within Your Reach", October 2004;
- 18. Municipal Insurance Association of BC - Risk Management Tidbits –** November 2004;
- 19. Creston Valley Wildlife Management Area Re: Proposed Skywalk Project –**
Correspondence dated November 19, 2004 from Anne de Jager, Walkway Campaign Coordinator – Creston Valley Wildlife Management Area Re: Proposed Skywalk Project;
- 20. Town of Sidney - Minutes of the Tri-Municipal Council Meeting held on November 4, 2004;**

21. Greater Victoria Public Library Board – Minutes of the Board Meeting held on October 26, 2004;

22. Capital Regional District – Minutes of the CRD Board and Hospital Board Meetings held on November 10 and 24, 2004;

79.05 MOVED BY COUNCILLOR THOMPSON
 SECONDED BY COUNCILOR HADDON
 That the above Item Nos. 1 to 22 be received for information and the contents noted.
 CARRIED UNANIMOUSLY

ADJOURNMENT:

On motion, the Regular Council Meeting held on December 6, 2004 adjourned at 10:48 pm.

Allison Habkirk
Mayor

Trish Flanders
Municipal Clerk

Recorded by: Trish Flanders
Municipal Clerk