

THE CORPORATION OF THE DISTRICT OF CENTRAL SAANICH

Minutes of the **SPECIAL (OPEN) COUNCIL** Meeting
Tuesday, July 4, 2006 at 7:00 pm
Central Saanich Municipal Council Chamber

PRESENT: Mayor Jack Mar
Councillors: Bryson, Garrison, Graham, Mason and Thompson
Gary C. Nason, Administrator
Nirmal Bhattacharya, Municipal Engineer
Hope V. Burns, Director of Planning & Building Services
Ron French, Fire Chief
Ruby Shea, Administrative Assistant

ABSENT: Councillor King

APPROVAL OF THE AGENDA:

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

- Copy of Site Contact Plan for Proposed Telus Pole Locations, to be included with Item 5 under Section 7 – Correspondence (Action Required or Recommended);
- Correspondence dated June 30, 2006 from Gerald and Elizabeth Puttergill, 8164 Woodwyn Terrace, Re: Development Variance Permit Application – 1445 Benvenuto Avenue, to be included as Item 1 under Section 9 – Staff Memorandum and Reports;
- Email correspondence dated May 25, 2006 from Liza Glynn, to be included with Item 3 under Section 12 – New Business/Other Competent Business;

773.06 MOVED BY COUNCILLOR THOMPSON
 SECONDED BY COUNCILLOR MASON
 That the Agenda for the Special (Open) Council Meeting held on July 4, 2006 be approved as amended.
 CARRIED UNANIMOUSLY

ADOPTION OF THE MINUTES:

Minutes of the Regular Council Meeting held on June 19, 2006

Councillor Graham requested that the Minutes of the June 19, 2006 Regular Council Meeting note his opposition to Resolution No. 716.06.

Councillor Thompson requested that the Minutes of the June 19, 2006 Regular Council Meeting be amended appropriately to reflect that in regards to “Central Saanich Land Use Bylaw Amendment Bylaw No. 1537, 2006”, his vacating the Council Chambers for this particular item was due to the fact that he is the former Executive Coordinator of the BC Agri-tourism Alliance, and although no longer employed by the Alliance, he is currently engaged in finalizing some outstanding items and therefore took his leave from the Meeting due to a potential conflict of interest on Bylaw No. 1537.

774.06 MOVED BY COUNCILLOR MASON
 SECONDED BY COUNCILLOR THOMPSON
 That the Minutes of the Regular Council Meeting held on June 19, 2006 be approved as amended.
 CARRIED UNANIMOUSLY

BUSINESS ARISING FROM THE MINUTES:

1. Resolution No. 712.06 from the Minutes of the June 19th, 2006 Regular Council Meeting Re: Saanich Peninsula Hospital Task Force

The Administrator, Mr. Gary C. Nason, briefly overviewed the provisions of Section 116 (1) of the *Community Charter* which sets out the responsibilities of the Mayor’s position.

The information was received by Council without a motion.

- 777.06 MOVED BY COUNCILLOR THOMPSON
 SECONDED BY COUNCILLOR BRYSON
That the Staff Memorandum dated June 6, 2006 from the Director of Planning & Building Services entitled "Revised Policy for the Enforcement of Secondary Suites in Central Saanich" be received, and Council approve the Policy in the form attached as Appendix "A" to the Memorandum.
 CARRIED UNANIMOUSLY

PUBLIC INQUIRIES AND ANSWERS THERETO:

1. Dr. David Boag, 6746 Amwell Drive, questioned where the property at 1185 Benvenuto Avenue, which is owned by Mr. Ron Kubek, is to receive its supply of water and its sewage service.

The Municipal Engineer, Mr. Nirmal Bhattacharya, advised that the water connection to this particular property will be to a Capital Regional District watermain which is located in the vicinity of the property. The Director of Planning & Building Services, Ms. Hope V. Burns, advised that in regards to sewage service, the property is proposing a specific onsite septic system which will require the approval of the Vancouver Island Health Authority.

2. Ms. Jill Wake, 7046 Brentwood Drive, referred to a previous item of correspondence received from Mr. David Reagan, pertaining to the issue of high assessment values for waterfront properties and the resultant impact on property taxes. Ms. Wake questioned when this particular issue and correspondence will be further considered by the Administration & Finance Committee. The Chair of the Administration & Finance Committee, Councillor Christopher Graham, and the Administrator referenced the previous Council motion indicating that this matter would be further discussed in the Fall of 2006 once the new Finance Director has been hired and has been in place for a reasonable period of time, and once a response has been received by the Province to the District's letter on this particular subject.
3. Mr. Rick Brand, 1148 Vic Place, referred to email correspondence which he had prepared relative to Police action related to a Stelly's Grad "Keyless Event" which took place on June 30, 2006. Mr. Brand asked that this particular item be discussed by Council at this evening's Meeting.

- 778.06 MOVED BY COUNCILLOR GRAHAM
 SECONDED BY COUNCILLOR THOMPSON
That Mr. Brand's correspondence pertaining to the June 30, 2006 Stelly's Grad "Keyless Event" be added to the agenda of the July 4, 2006 Special (Open) Council Meeting as a late item under Correspondence (Action Required or Recommended).
 CARRIED UNANIMOUSLY

PRESENTATIONS/PETITIONS AND DELEGATIONS: None.

CORRESPONDENCE (Action Required or Recommended):

1. The Terry Fox Run Re: Terry Fox Run (Marathon of Hope) – September 17, 2006

- a) Correspondence dated June 15, 2006, from Connie Hearty and Debbie Hazelwood of the Terry Fox Run Re: Terry Fox Run (Marathon of Hope) – September 17, 2006.

It was noted that there was no representation from the Terry Fox Run in attendance at the meeting to address the correspondence.

- 779.06 MOVED BY COUNCILLOR MASON
 SECONDED BY COUNCILLOR GRAHAM
That the District grant conditional approval for the above event subject to acceptable co-ordination with any other events to take place during this same general time period, and further subject to the concurrence of the Police, Fire and Engineering and Public Works Departments, and no costs be incurred by the District for this event.
 CARRIED UNANIMOUSLY

2. Capital Regional District Re: CRD Bylaw 3322, Capital Regional District Hazardous Materials Incident Response Service Establishment Bylaw No. 1, 2006

- a) Correspondence dated June 19, 2006, from Carmen Thiel, Corporate Secretary, Capital Regional District Re: Capital Regional District Re: CRD Bylaw 3322, Capital Regional District Hazardous Materials Incident Response Service Establishment Bylaw No. 1, 2006.

It was noted that there was no representation from the Capital Regional District in attendance at the meeting to address the correspondence.

The Administrator, Mr. Gary C. Nason, briefly overviewed the correspondence in regards to the CRD Bylaw 3322, Capital Regional District Hazardous Materials Incident Response Service Establishment Bylaw No. 1, 2006 and responded to questions from members of Council.

780.06 MOVED BY COUNCILLOR GARRISON
 SECONDED BY COUNCILLOR MASON
 That the correspondence be received, and Council give consent to the adoption of Bylaw No. 3322 in accordance with Section 801.4 of the Local Government Act.
 CARRIED
 OPPOSED BY COUNCILLOR GRAHAM

3. A & L McFarlane Re: Request for Amendment of Covenant – 7014 Island View Place

- a) Correspondence dated June 23, 2006 from Anne and Lawrie McFarlane, 5071 Delmonte Avenue Re: Request for Amendment of Covenant – 7014 Island View Place.

The Director of Planning & Building Services, Ms. Hope V. Burns, gave a brief overview of the correspondence with respect to the McFarlane's request for an amendment of the covenant on 7014 Island View Place and responded to questions from members of Council.

It was noted that Mr. & Mrs. McFarlane were in attendance at the Meeting, however they offered no further comments with respect to this matter.

781.06 MOVED BY COUNCILLOR MASON
 SECONDED BY COUNCILLOR GARRISON
 That the correspondence be received, and Council authorize the amendment of the Restrictive Covenant along the lines as requested by the letter writers.
 CARRIED UNANIMOUSLY

4. Capital Regional District Re: Participation in Management Program for Onsite Systems

- a) Correspondence dated June 13, 2006 from Mr. Dwayne Kalynchuk, General Manager, Environmental Services, Capital Regional District Re: Participation in Management Program for Onsite Systems

It was noted that there was no representation from the Capital Regional District in attendance at the meeting to address the correspondence.

The Administrator, Mr. Gary C. Nason, and the Municipal Engineer, Mr. Nirmal Bhattacharya, gave an overview of the correspondence in regards to the Participation in Management Program for Onsite Systems and responded to questions from members of Council.

- 782.06 MOVED BY COUNCILLOR GRAHAM
 SECONDED BY COUNCILLOR THOMPSON
The correspondence be received and the Capital Regional District (CRD) be invited to make a presentation on the proposed Program at a future Committee Meeting, and the CRD be requested in its presentation to provide further background information on the potential implications of the Program to Central Saanich, specifically in regards to projected requisition costs, enforcement responsibilities and research and data compilation responsibilities.
 CARRIED UNANIMOUSLY

5. Correspondence Signed by Six Property Owners Re: Proposed Telus Telephone Pole Installation

- a) Correspondence dated June 20, 2006 Six Property Owners Re: Proposed Telus Telephone Pole Installation.
- b) Site Context Plan for Proposed Telus Pole Locations

The Municipal Engineer, Mr. Nirmal Bhattacharya, briefly overviewed the correspondence and spoke to the site context map which was distributed relative to this particular matter and responded to questions from members of Council

Mr. Paul Holland, 1543 Stelly's Cross Road, briefly spoke to his correspondence and responded to questions from members of Council.

Mrs. Dawn Holland, 1543 Stelly's Cross Road, also spoke to the correspondence and noted the detrimental impact that the proposed telephone installation would have on adjacent farm land in the vicinity.

Dr. Duncan Morrison, 1487 Stelly's Cross Road, noted that if the proposed above ground telephone pole installation were to proceed, it would be necessary to remove a number of trees in the area which at the present time provide effective screening and windbreak. Dr. Morrison requested that Telus be requested to look at all other available potential alternatives.

Mr. Dave Hamer, 7146 Wallace Drive, stated that when he applied for a telephone line service several years ago, he was denied on the basis that a proposed installation was too expensive and he was required to put the service underground.

- 783.06 MOVED BY COUNCILLOR GRAHAM
 SECONDED BY COUNCILLOR THOMPSON
That the correspondence be received and a copy be forwarded to Telus for consideration and appropriate action as required; Telus be advised that Council shares the concerns of the letter writers as expressed in their correspondence; and Telus be requested to consider the utilization of the Columbia Avenue right-of-way for the provision of the proposed telephone services and to run the lines through underground conduits so as to minimize the impact on the adjacent agricultural properties in the area.
 CARRIED UNANIMOUSLY

6. F Witthoef Re: Floatplane Noise and Safety Concerns

- a) Email correspondence dated June 26, 2006 from Mr. Frank Witthoef, 2361 Tanner Ridge Place Re: Floatplane Noise and Safety Concerns.

Mr. Frank Witthoef, 2361 Tanner Ridge Place, was in attendance at the meeting and briefly spoke to his correspondence and thanked Council for its action on this particular matter.

The correspondence be received for information and the contents noted.

7. R Brand Re: Police Action Related to Stelly's Grad Keyless Event

- a) Email correspondence received July 4, 2006 from Mr. Rick Brand, 1148 Vic Place Re: Police Action Related to Stelly's Grad Keyless Event.

Mr. Rick Brand, 1148 Vic Place, was in attendance at the meeting and spoke to his correspondence and responded to questions from members of Council.

Sergeant Peter Snell, Central Saanich Police Service, stated that the Police are obligated to enforce the Province's liquor control and licensing legislation, and that the safety of youth at high school graduation events is of great concern to the Police. Sergeant Snell stated that the Police received multiple complaints pertaining to this particular event and that one person on site had alcohol poisoning. The Police observed numerous liquor infractions by parents and that if parents have concerns with respect to the Police actions in this regard, the Police Department should be approached accordingly.

- 784.06 MOVED BY COUNCILLOR GRAHAM
 SECONDED BY COUNCILLOR THOMPSON
 That the correspondence be received, and referred to the Central Saanich Police Board for consideration and action as deemed appropriate, and further that the Board be requested to notify the letter writer when this matter is to be considered and be given an opportunity to attend the Board Meeting.
 CARRIED UNANIMOUSLY

REPORTS OF COMMITTEES:

Standing Committees:

Administration & Finance Committee – June 26, 2006

- 785.06 MOVED BY COUNCILLOR GRAHAM
 SECONDED BY COUNCILLOR THOMPSON
 That the Minutes of the Administration & Finance Committee Meeting held on June 26, 2006 be approved as circulated.
 CARRIED UNANIMOUSLY

1. 2005 Annual Report

- 786.06 MOVED BY COUNCILLOR GRAHAM
 SECONDED BY COUNCILLOR THOMPSON
 That the Memorandum dated June 9, 2006 from the Administrator entitled "2005 Annual Municipal Report" together with the binder document entitled "Corporation of the District of Central Saanich – 2005 Annual Report" be received; Council approve the District's 2005 audited Financial Statements and related information schedules; and the Annual Report be made available for public inspection during regular business hours.
 CARRIED UNANIMOUSLY

2. Proposed "Whistle Blower Policy"

- 787.06 MOVED BY COUNCILLOR GRAHAM
 SECONDED BY COUNCILLOR MASON
 That the Memorandum dated June 21, 2006 from the Administrator entitled "Proposed Whistle Blower Policy" be received, and Council ratify the proposed "Whistle Blower Policy" and summary documents in the form attached as Appendix "A" to the Memorandum, and Staff be requested to undertake the appropriate process for implementation.
 CARRIED UNANIMOUSLY

3. Financial Information Act/Statement of Financial Information Schedules (Council Remuneration; Employee Remuneration; Payments to Suppliers)

- 788.06 MOVED BY COUNCILLOR GRAHAM
 SECONDED BY COUNCILLOR MASON
 That Council receive and approve the Financial Information Act/Statement of Financial Information Schedules (Council Remuneration; Employee Remuneration; Payments to Suppliers) as presented; forward the Schedules as required to the Ministry of Community Services, and make the Schedules available for public inspection during regular business hours.
 CARRIED UNANIMOUSLY

Public Works & Transportation Committee – June 26, 2006

789.06 MOVED BY COUNCILLOR BRYSON
 SECONDED BY COUNCILLOR MASON
That the Minutes of the Public Works & Transportation Committee Meeting held on June 26, 2006 be approved as circulated.
CARRIED UNANIMOUSLY

1. Integrated Stormwater Management Plan (ISMP) Project – Draft Terms of Reference

790.06 MOVED BY COUNCILLOR BRYSON
 SECONDED BY COUNCILLOR GARRISON
That the proposed composition for the “Stakeholders Advisory Committee” for the Integrated Stormwater Management Plan (Hagan, Sandhill and McHugh Watersheds) project be endorsed as generally set out, with the inclusion of representation from the Advisory Planning Commission, the Peninsula Agricultural Commission, the Saanich Inlet Protection Society, the Hagan Creek Working Group, and the Provincial Ministry of Environment as suggested at the Meeting.
CARRIED UNANIMOUSLY

791.06 MOVED BY COUNCILLOR BRYSON
 SECONDED BY COUNCILLOR MASON
That Council endorse the draft proposed Terms of Reference for the Integrated Stormwater Management Plan (Hagan, Sandhill and McHugh Watersheds) project as presented and as amended by the foregoing motion.
CARRIED UNANIMOUSLY

Planning & Development Committee – June 26, 2006

792.06 MOVED BY COUNCILLOR THOMPSON
 SECONDED BY COUNCILLOR GRAHAM
That the Minutes of the Planning & Development Committee Meeting held on June 26, 2006 be approved as circulated.
CARRIED UNANIMOUSLY

1. Development Variance Permit Application for Subdivision – 6259 Marie Meadows Road (Greg Anstey)

793.06 MOVED BY COUNCILLOR THOMPSON
 SECONDED BY COUNCILLOR MASON
That the Staff Memorandum dated June 20, 2006 from the Director of Planning & Building Services entitled “Development Variance Permit Application for Subdivision – 6259 Marie Meadows Road (Greg Anstey)” be received, and in connection with the proposed subdivision of 6259 Marie Meadows Road into two parcels:

- 1. Council propose to consider the issuance of a Development Variance Permit to vary the lot frontage required by Bylaw for the two proposed new lots from the required 21m (68.9 ft) to 16.35m (53.6 ft);*
- 2. Staff be instructed to undertake the required statutory notification procedures; and*
- 3. Council stipulate the condition that any issuance of a Development Variance Permit would be subject to the registration of a restrictive covenant on title to ensure that future house plans comply with the District’s Infill Housing Design Guidelines.*

CARRIED UNANIMOUSLY

Councillor Thompson distributed, for the information of Council, Site Context material related to this particular application and noted his concerns in regards to the necessity to preserve a suitably sized rear yard and sufficient distance of the proposed dwellings from the currently existing residential structures in the neighbourhood.

794.06 MOVED BY COUNCILLOR GRAHAM
SECONDED BY COUNCILLOR MASON
That the site context material presented by Councillor Thompson with respect to this particular application be received, and the Approving Officer be requested, in further discussions with the applicant, to consider appropriate adjustments to the setbacks for the proposed parcels so as to ensure to the fullest extent possible the preservation of a suitably sized rear yard and sufficient distance of the proposed dwellings from currently existing residential structures.
CARRIED UNANIMOUSLY

2. Development Variance Permit Application for Proposed Subdivision (Boundary Adjustment) – Lots 13 and 14, Block 4, Sections 11 and 12, Range 2 East, Plan 1607 (Meadowbank Road – Dan and Jean Ireland)

795.06 MOVED BY COUNCILLOR THOMPSON
SECONDED BY COUNCILLOR MASON
That the Staff Memorandum dated June 20, 2006 from the Planner entitled “Development Variance Permit Application for Proposed Subdivision (Boundary Adjustment) – Lots 13 and 14, Block 4, Sections 11 and 12, Range 2 East, Plan 1607 (Meadowbank Road – Dan and Jean Ireland)” be received, and in connection with the boundary adjustment of Lots 13 and 14, Block 4 Sections 11 and 13, Range 2 East, Plan 1607 (as shown on the proposed plan of subdivision – Appendix “B” to the Memorandum):

1. *Council grant an exemption, under Section 944 of the Local Government Act, from the minimum frontage requirement of 10 percent of the lot perimeter to a minimum of 25 feet (7.6m);*
2. *Council indicate its support for the request of a Municipal water main extension as set out in the Memorandum;*
3. *Council propose to consider the issuance of a Development Variance Permit to vary one or more of the following requirements of the Land Use Bylaw No. 1309:*
 - a) *The minimum A-1 Agriculture Zone lot size from 4 ha. (10 acres) to 1.9 ha. (4.75 acres) for the two proposed realigned lots “A” and “B”; and*
 - b) *The required construction of the adjacent unopened road allowance to the municipal rural road engineering standards;*
4. *Staff be instructed to undertake the required statutory notification procedures; and*
5. *Council stipulate the condition that any issuance of a Development Variance Permit would be subject to the applicants providing an appropriate restrictive covenant in a form acceptable to the District precluding the development of any future buildings or paved areas, for residential or accessory to residential uses, on the lands lying to the west of the existing reclaimed pond area.*

CARRIED UNANIMOUSLY

Parks & Facilities Committee – June 26, 2006

796.06 MOVED BY COUNCILLOR MASON
SECONDED BY COUNCILLOR THOMPSON
That the Minutes of the Parks & Facilities Committee Meeting held on June 26, 2006 be approved as circulated.
CARRIED UNANIMOUSLY

1. Proposed “Facilities Charette”

797.06 MOVED BY COUNCILLOR MASON
SECONDED BY COUNCILLOR GARRISON
That the Staff Memorandum dated June 6, 2006 from the Administrator entitled “Proposed Facilities Charette” be received, and the proposed composition of Charette attendees be endorsed as generally presented with the inclusion of invited representation from the Greater Victoria Public Library and the Central Saanich Senior Citizens Association.
CARRIED UNANIMOUSLY

2. *Issuance of the Development Variance Permit be subject to the Applicant providing a Letter of Credit or other financial security for 125 percent of the cost of the proposed re-vegetation work.*

CARRIED UNANIMOUSLY

Councillor Thompson encouraged Mr. and Mrs. Puttergill to approach Staff in regards to their concerns related to the use of the parking lot as a storage area which were referenced in their correspondence dated June 30, 2006.

2. Development Variance Permit Application – 8338 West Saanich Road

- a) Staff Memorandum dated May 24, 2006 from the Director of Planning & Building Services entitled "Development Variance Permit Application – 8338 West Saanich Road Private Moorage Facility (William Appleby and Barbara Kelly)
- b) Council motions adopted on June 5, 2006 in regards to this application;
- c) Notice sent to adjacent property owners dated June 12, 2006;

The Administrator, Mr. Gary C. Nason, gave a brief overview of the matter regarding the Development Variance Permit Application from 8338 West Saanich Road and responded to questions from members of Council.

It was noted that the applicants were not in attendance at the meeting and there were no representations for or against the application.

800.06

MOVED BY COUNCILLOR MASON
SECONDED BY COUNCILLOR THOMPSON

That the Staff Memorandum dated May 2, 2006 from the Director of Planning & Building Services entitled "Development Variance Permit (DVP) Application; 8338 West Saanich Road - Private Moorage Facility (William Appleby and Barbara Kelly)" be received, and in connection with the proposed DVP Application for the existing private moorage facility within the foreshore lease area adjacent to the subject property:

1. *Council approve the issuance of a Development Variance Permit to vary the following regulations of the Water Area W-1 Zone;*
 - *Increase the maximum permitted length of a private float or walkway from 30m (98 ft) to 39.5m (130 ft);*
 - *Increase the permitted width of a private float or walkway from 3m (10 ft) to 6.2m (20 ft); and*
2. *Issuance of the Development Variance Permit be subject to the Applicants providing an appropriate assurance or undertaking that they will take the necessary steps, when the foreshore lease next comes up for renewal, to amend the lease area to remove that portion that lies south of the westerly extension of the property boundary adjacent to the Nimmo Road right-of-way.*

CARRIED UNANIMOUSLY

3. Vehicular Parking Issues on Fairmeadow Place and Simpson Road

- a) Staff Memorandum dated June 28, 2006 from the Municipal Engineer, Mr. Nirmal Bhattacharya entitled "Vehicular Parking Issues on Fairmeadow Place and Simpson Road"

The Administrator, Mr. Gary C. Nason, the Municipal Engineer, Mr. Nirmal Bhattacharya, and the Fire Chief, Mr. Ron French, spoke to the Memorandum, provided background information in regards to the vehicular parking issues on Fairmeadow Place and Simpson Road, and responded to questions from members of Council.

Mr. Ted Niemczyk, 7826 Fairmeadow Place, advised that he was supportive of the recommendations that were contained in the Staff Memorandum.

- 801.06 MOVED BY COUNCILLOR THOMPSON
 SECONDED BY COUNCILLOR MASON
That the Staff Memorandum dated June 28, 2006 from the Municipal Engineer entitled "Vehicular Parking Issues on Fairmeadow Place and Simpson Road" be received, and that Staff be authorized to take the necessary steps to implement residential only parking and yellow lining along Fairmeadow Place as generally depicted in the Site Context Plan attached as Appendix "B" to the Memorandum, with further consultation to be undertaken with the impacted property owners, particularly in regards to the extent of the proposed yellow lining on the south side of Fairmeadow Place cul-de-sac.
 CARRIED
 OPPOSED BY COUNCILLOR BRYSON

4. Proposed Revision to Conditions of Development Permit – 7601 East Saanich Road (Legion Manor)

- a) Staff Memorandum dated June 27, 2006 from the Director of Planning & Building Services entitled "Proposed Revision to Conditions of Development Permit No. 3060-20-3/05; 7601 East Saanich Road (Legion Manor)

The Director of Planning & Building Services, Ms. Hope V. Burns, gave an overview of the Staff Memorandum in regards to the proposed revision to conditions of Development Permit No. 3060-20-3/05 and responded to questions from members of Council.

- 802.06 MOVED BY COUNCILLOR GRAHAM
 SECONDED BY COUNCILLOR THOMPSON
That the Staff Memorandum dated June 27, 2006 from the Director of Planning & Building Services entitled "Proposed Revision to Conditions of Development Permit No. 3060-20-3/05; 7601 East Saanich Road (Legion Manor)" be received, and Council support amending Condition No. 11 of Development Permit No. 3060-20-3/05 to allow the pedestrian walkways at the Legion Manor development at 7601 East Saanich Road to be constructed with asphalt with a typical width of 1.5m (5 ft.).
 CARRIED UNANIMOUSLY

5. Zoning and OCP Amendment, Development and Development Variance Permit Application; 7005 East Saanich Road, Islandview Care Facility (Praxis Architects, Inc)

- a) Staff Memorandum dated June 28, 2006 from the Director of Planning & Building Services entitled "Zoning and OCP Amendment, Development and Development Variance Permit Application; 7005 East Saanich Road, Islandview Care Facility (Praxis Architects, Inc)"

The Director of Planning & Building Services, Ms. Hope V. Burns, gave an overview of the Staff Memorandum in regards to the proposed Zoning and OCP Amendment, Development and Development Variance Permit Application for 7005 East Saanich Road, and responded to questions from members of Council.

Mr. Bob Rocheleau, Praxis Architects, Inc., gave a relatively brief overview of the application and summarized the major features of the proposed building addition. Mr. Rocheleau indicated that it is the applicant's intention to extend the existing Islandview Care Facility with the addition to be in accord with the existing structure. It is also the applicant's intention that all finishes tie in with the existing building. Mr. Rocheleau responded to various questions from members of Council pertaining to the Application, and responded to several questions with regards to the proposed landscaping scheme and the requested variances.

Mr. Les M. Archer, Senior Transportation Planner, Bundt and Associates, spoke to the traffic study that was undertaken in connection with this particular Application. Mr. Archer stated that the proposed addition to the facility will be a low traffic generator and the primary issue will be safe access to the site off of Island View Road and compatibility with the Ministry of Transportation's future plans with respect to improvements to the Pat Bay Highway. Mr. Archer indicated that the Ministry of Transportation has advised that it has no objection to the proposed addition to the Islandview Care Facility. Mr. Archer then proceeded to discuss various details with

respect to the proposed access off of Island View Road and particulars with respect to proposed garbage pickup, deliveries and loading bays'.

Mr. Archer responded to various questions from members of Council in regards to the traffic study which was undertaken pursuant to the Application.

803.06

MOVED BY COUNCILLOR GRAHAM
SECONDED BY COUNCILLOR THOMPSON

That the Staff Memorandum dated June 28, 2006 from the Director of Planning & Building Services entitled "Zoning and OCP Amendment, Development and Development Variance Permit Application; 7005 East Saanich Road, Islandview Care Facility (Praxis Architects, Inc)" be received, and Council:

1. *Authorize preparation of an OCP amendment, which proposes to amend the OCP Bylaw No. 1303 and the Saanichton/Keating Ridge Area Plan Map A, by changing the land use designation of property located at 7005 East Saanich Road from Commercial to Multi-family Residential and designate the property as a Development Permit Area for multi-family residential purposes;*
2. *Examine this amending Bylaw in conjunction with the Five Year Financial Plan after first reading;*
3. *Determine that separate consultation is not required with the CRD, adjacent local, provincial or federal government authorities, First Nations or School District No. 63 pursuant to Section 879 of the Local Government Act for the OCP amending Bylaw;*
4. *Authorize preparation of a Land Use Bylaw amendment to rezone the property from Neighbourhood Commercial 3 (C-3) to the RP-1 Zone with specific reference to allowing an increased FAR of 1.2 and site coverage of 43 percent for the property located at 7005 East Saanich Road in the RP-1 zoning designation;*
5. *Consider first and second readings of the Land Use Bylaw amendment once prepared;*
6. *Propose to consider the issuance of a Development Variance Permit to:*
 - *reduce the front yard setback requirement of 7.5m to 5.3m;*
 - *reduce the rear yard setback requirement from 12.5m (including additional setback from ALR for residential uses) to 6m;*
 - *vary the requirement for a loading bay (none shown and one required);*
 - *vary the number of small car spaces proposed (exceeds bylaw allowance by one space);*
 - *vary the screening requirement from requirement from that which is required to a 1.8m high screen fence along the eastern property line;*
7. *Instruct Staff to undertake the statutory notification procedures as part of the public hearing notification process;*
8. *Schedule a Public Hearing at an appropriate future date to take place no earlier than September, 2006; and*
9. *Stipulate that issuance of any Development Variance Permit and Development Permit for this particular application would be subject to the following conditions:*
 - a) *submission of a final detailed landscape plan and deposit of 125% of estimated costs;*
 - b) *professional engineering analysis and security deposit to cover all Engineering requirements including sewer, water and drainage services as well as roadway dedication and improvements to the Island View and East Saanich Roads' Intersection including undergrounding of services and removal of the hydro pole at the intersection of East Saanich and Island View Roads;*

- c) *an oil and grit interceptor is to be installed for the surface parking lot and permeable options for this area are to be incorporated into the landscape plan;*
- d) *no free-standing sign(s) to be allowed; and*
- e) *a restrictive covenant to be registered on the property restricting the development to that as shown on the approved Development Permit.*

That Staff be requested to discuss with the Applicant further design changes so as to accommodate appropriate vegetative screening and buffering of the proposed building extension and parking areas from the adjacent agricultural property to the east.

CARRIED UNANIMOUSLY

6. Zoning and OCP Amendment, Development and Development Variance Permit Application; 6961 East Saanich Road, Lot A, Section 12, Range 4 East, Plan 12968 (A.J. Finlayson Architect, Ltd.)

- a) Staff Memorandum dated June 28, 2006 from the Planner entitled "Zoning and OCP Amendment, Development and Development Variance Permit Application; 6961 East Saanich Road, Lot A, Section 12, Range 4 East, Plan 12968 (A.J. Finlayson Architect, Ltd.)"

The Director of Planning & Building Services, Ms. Hope V. Burns, gave an overview of the Staff Memorandum in regards to the proposed Zoning and OCP Amendment, Development and Development Variance Permit Application for 6961 East Saanich Road, Lot A, Section 12, Range 4 East, Plan 12968, and responded to questions of members of Council.

Mr. Art Finlayson, A.J. Finlayson Architect, Ltd., introduced Ms. Sylvia Bonet who then proceeded to give a comprehensive overview of the various application details and spoke to issues relating to setbacks, proposed finishing details, play and amenity areas, parking, affordability, grades and massing of the proposed buildings. Ms. Bonet then proceeded to respond to various questions from members of Council.

Mr. Len Tyrrell, Tyrrell Properties Ltd., responded to questions from Council in regards to issues related to owner/occupancy, rental provisions and colour.

Council then proceeded to have a detailed discussion in regards to various aspects of the Application particularly on issues related to safety of children in the proposed play area, the requested provision of additional detailed landscaping information, and consideration of a covenant to be registered on title to address the issue of owner/occupancy on the three strata lots in the proposed building "C".

804.06

MOVED BY COUNCILLOR GRAHAM
SECONDED BY COUNCILLOR THOMPSON

That the Staff Memorandum dated June 28, 2006 from the Planner entitled "Zoning and OCP Amendment, Development and Development Variance Permit Application; 6961 East Saanich Road, Lot A, Section 12, Range 4 East, Plan 12968 (A.J. Finlayson Architect, Ltd.)" be received, and Council:

1. *Authorize preparation of an OCP amendment, which proposes to amend the OCP Bylaw No. 1303 and the Saanichton/Keating Ridge Area Plan Map A, by changing the land use designation of property located at 6961 East Saanich Road from Commercial to Multi-family Residential and designate the property as a Development Permit Area for multi-family residential purposes;*
2. *Examine this amending Bylaw in conjunction with the Five Year Financial Plan after first reading;*
3. *Determine that separate consultation is not required with the CRD, adjacent local, provincial or federal government authorities, First Nations or School District No. 63 pursuant to Section 879 of the Local Government Act for the OCP amending Bylaw;*

4. *Authorize preparation of a Land Use Bylaw amendment to rezone the property from Neighbourhood Commercial 3 (C-3) to Residential Attached 3 (RM-3);*
5. *Consider first and second readings of the Land Use Bylaw amendment once prepared, which rezones the site to RM-3;*
6. *Propose to consider the issuance of a Development Variance Permit to:*
 - *vary the front yard setback requirement of 7.5m to 4.8m;*
 - *vary the exterior side yard setback requirement from 6m to 3.96m;*
 - *vary the required width to a 90 degree parking area manoeuvring aisle from 7.5m to 6.1m,;*
7. *Instruct Staff to undertake the statutory notification procedures as part of the public hearing notification process;*
8. *Schedule a Public Hearing at an appropriate future date to take place no earlier than September, 2006;*
9. *Stipulate that issuance of any Development Variance Permit and Development Permit for this particular application would be subject to the following conditions:*
 - a) *submission of a details of the paving surface, turning radius, turnaround and grading of the access drive;*
 - b) *submission of a final detailed landscape plan and deposit of 125 percent of estimated costs;*
 - c) *submission of details of the required short-and long-term bicycle parking facilities;*
 - d) *professional engineering analysis and security deposit to cover all Engineering requirements including sewer, water and drainage services as well as roadway dedication and improvements to Saanich Cross Road and East Saanich Road;*
 - e) *submission of details of an oil and grit interceptor to be installed for the surface parking lot, along with permeable pavement options for this area, are to be incorporated into the engineering and landscape plans;*
 - f) *a restrictive covenant to be registered on the property restricting the development to that as shown on the approved Development Permit.*

*****AMENDMENT*****

805.06

MOVED BY COUNCILLOR BRYSON
SECONDED BY COUNCILLOR MASON

That the foregoing motion be amended by adding the following additional Condition Nos. 10 and 11:

- “10. Further stipulate that any issuance of a Development Permit for this particular application would also be subject to the condition that a Restrictive Covenant be registered on the three strata lots in the proposed Building C to require that either the main unit or the secondary unit must be owner occupied; and*
- 11. Require that a massing model and a detailed landscape plan which addresses both the Staff's and the Advisory Planning Commission's concerns which have been raised in the June 28, 2006 Staff Memorandum, be provided at the time of Council's further review of this application.”*

THE QUESTION WAS CALLED ON THE AMENDMENT
THE AMENDMENT WAS CARRIED UNANIMOUSLY

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

Ms. Juanita Croll, 6944 East Saanich Road, indicated that she was in attendance at the Council Meeting to hear the discussion in regards to this particular Application. Ms. Kroll advised that a number of neighbours in the vicinity of the proposed development have concerns in regards to the number of levels, the parking impacts on East Saanich Road, and the potential for rental units and mortgage helpers. Ms. Croll advised that she and her neighbours wish to see a blending or meshing of both of the Applications (for 7005 East Saanich Road and 6961 East Saanich Road) and requested that Council engage the neighbourhood in further consultation opportunities in regards to both of these Applications.

Council reiterated its request that the applicant provide a massing model of the proposed development at the time of Council's further review of this Application.

7. Redrafting of District's Soil Removal and Deposit Bylaw and Ticket Information Utilization Bylaw

- a) Staff Memorandum dated June 27, 2006 from the Municipal Engineer and the Bylaw Enforcement Officer entitled "Redrafting of District's Soil Removal and Soil Deposit Bylaw and Ticket Information Utilization Bylaw."

The Municipal Engineer, Mr. Nirmal Bhattacharya, gave a comprehensive overview of the Staff Memorandum in regards to the redrafting of the District's Soil Removal and Deposit Bylaw and the Ticket Information Utilization Bylaw, and responded to questions from members of Council.

- 806.06 MOVED BY COUNCILLOR BRYSON
 SECONDED BY COUNCILLOR MASON
 That the Staff Memorandum dated June 27, 2006 from the Municipal Engineer and the Bylaw Enforcement Officer entitled "Redrafting of District's Soil Removal and Soil Deposit Bylaw and Ticket Information Utilization Bylaw" be received, and Council proceed with giving first two readings to both the Soil Removal and Deposit Bylaw and the Municipal Ticket Information Utilization Bylaw at the same Meeting.
 CARRIED UNANIMOUSLY
- 807.06 MOVED BY COUNCILLOR BRYSON
 SECONDED BY COUNCILLOR MASON
 That Bylaw No. 1544, cited as "Central Saanich Soil Removal and Deposit Bylaw 2006, No. 1544" be given first reading.
 CARRIED UNANIMOUSLY
- 808.06 MOVED BY COUNCILLOR BRYSON
 SECONDED BY COUNCILLOR MASON
 That Bylaw No. 1544, cited as "Central Saanich Soil Removal and Deposit Bylaw 2006, No. 1544" be given second reading.
 CARRIED UNANIMOUSLY
- 809.06 MOVED BY COUNCILLOR GRAHAM
 SECONDED BY COUNCILLOR MASON
 That Bylaw No. 1545, cited as "Central Saanich Municipal Ticket Information Utilization Bylaw No. 1545, 2006" be given first reading.
 CARRIED UNANIMOUSLY
- 810.06 MOVED BY COUNCILLOR GRAHAM
 SECONDED BY COUNCILLOR MASON
 That Bylaw No. 1545, cited as "Central Saanich Municipal Ticket Information Utilization Bylaw No. 1545, 2006" be given second reading.
 CARRIED UNANIMOUSLY

8. Request for Proposals – Seabrook Park Play Equipment

- a) Staff Memorandum dated June 27, 2006 from the Public Works Buyer entitled "Request for Proposal, PS 12/06, Seabrook Park Play Equipment".

The Municipal Engineer, Mr. Nirmal Bhattacharya, gave an overview of the Staff Memorandum in regards to the proposed Request for Proposals for Seabrook Park play equipment, and responded to questions from members of Council.

- 811.06 MOVED BY COUNCILLOR GARRISON
 SECONDED BY COUNCILLOR GRAHAM
That the Staff Memorandum dated June 27, 2006 from the Public Works Buyer entitled "Request for Proposal, PS 12/06, Seabrook Park Play Equipment" be received, and Council authorize Staff to proceed with the negotiation and subsequent purchase of play equipment for Seabrook Park from Mark Suttle Agencies Ltd. as proposed for the price of \$19,998.30, including all net taxes.
CARRIED UNANIMOUSLY

BYLAWS:

- 1. "Central Saanich Sewage Collection Area No. 1, Extension Bylaw No. 1549, 2006"
[To Include the Property Located at 6470 Rey Road and 6281 Central Saanich Road in the Sewer Collection Area]**

- 812.06 MOVED BY COUNCILLOR GRAHAM
 SECONDED BY COUNCILLOR THOMPSON
That Bylaw No. 1549, cited as "Central Saanich Sewage Collection Area No. 1, Extension Bylaw No. 1549, 2006" be authorized to receive three readings at the same meeting.
CARRIED UNANIMOUSLY

- 813.06 MOVED BY COUNCILLOR GRAHAM
 SECONDED BY COUNCILLOR THOMPSON
That Bylaw No. 1549, cited as "Central Saanich Sewage Collection Area No. 1, Extension Bylaw No. 1549, 2006, 2006" be given first reading.
CARRIED UNANIMOUSLY

- 814.06 MOVED BY COUNCILLOR GRAHAM
 SECONDED BY COUNCILLOR THOMPSON
That Bylaw No. 1549, cited as "Central Saanich Sewage Collection Area No. 1, Extension Bylaw No. 1549, 2006 be given second reading.
CARRIED UNANIMOUSLY

- 815.06 MOVED BY COUNCILLOR GRAHAM
 SECONDED BY COUNCILLOR THOMPSON
That Bylaw No. 1549, cited as "Central Saanich Sewage Collection Area No. 1, Extension Bylaw No. 1549, 2006 be given third reading.
CARRIED UNANIMOUSLY

UNFINISHED BUSINESS: None.

NEW BUSINESS/OTHER COMPETENT BUSINESS:

- 1. Calendar of Meetings – July 2006**

The draft Calendar of Meetings for July 2006 was received for information without a motion, however Council advised of the cancellation of the July 15th, 2006 Greater Victoria Public Library Board Meeting and the July 27th, 2006 Peninsula Recreation Commission Meeting.

- 2. Wireless Microphone System Trial**

- 816.06 MOVED BY COUNCILLOR GRAHAM
 SECONDED BY COUNCILLOR THOMPSON
That the current rental arrangement for the wireless microphone system be discontinued.
CARRIED UNANIMOUSLY

- 817.06 MOVED BY COUNCILLOR MASON
 SECONDED BY COUNCILLOR GRAHAM
That Staff be authorized to purchase a wireless lapel microphone, speaker stand and carry case, at the approximate estimated cost of \$660.
CARRIED UNANIMOUSLY

3. Handicapped Access to Municipal Hall – Doors (Councillor Mason)

- 818.06 MOVED BY COUNCILLOR MASON
 SECONDED BY COUNCILLOR THOMPSON
 That Staff be requested to provide information to Council in regards to the approximate cost of procuring and installing automatic (handicapped access) doors for both the main and lower entrances to the Municipal Hall.
 CARRIED UNANIMOUSLY

CORRESPONDENCE (Action Required or Recommended):

1. **Brentwood Bay Rotary Club Re: Donation for Woodward Park** – Correspondence dated June 13, 2006 from Geoff Titterton, Community Director of Brentwood Bay Rotary Club Re: Donation for Woodward Park;
2. **Community Arts Council of the Saanich Peninsula Re: Letter of Thanks for 2006 Grant-in-Aid** – Correspondence dated June 14, 2006 from Janice Cook, Administrator of the Community Arts Council of the Saanich Peninsula Re: “Letter of Thanks for 2006 Grant-in-Aid”;
3. **Copy of Correspondence from Minister of Transportation to District of North Saanich Re: Malahat Route Study** – Copy of Correspondence dated June 16, 2006 from Kevin Falcon, Minister of Transportation to the District of North Saanich Re: Malahat Route Study
4. **Ministry of Community Services and Minister Responsible for Seniors’ and Women’s Issues Re: 2006 Small Community Protection Grant** – Correspondence dated June 18, 2006 from Ida Chong, Ministry of Community Services and Minister Responsible for Seniors’ and Women’s Issues Re: 2006 Small Community Protection Grant;
5. **Copy of Correspondence from Mr. Steven Garner to Board of School Trustees of School District No. 63 (Saanich) Re: Saanichton School Use Proposal – Letter of Intent** – Copy of correspondence dated June 21, 2006 from Steven Garner to Board of School Trustees of School District no. 63 (Saanich) Re: Saanichton School Use Proposal – Letter of Intent;
6. **Correspondence from the Union of BC Municipalities:**
 - a) Municipal Rural Infrastructure Fund Agreement Signed, June 21, 2006
7. **Copy of Correspondence from City of Port Alberni to Premier of British Columbia, Minister of Finance, and Minister of Community Services Re: Proposal by Competition Council – Limitations to Class 4 – Major Industrial Lands** – Copy of correspondence dated June 13, 2006 from Ken McRae, Mayor of Port Alberni to the Premier of British Columbia, Minister of Finance, and Minister of Community Services Re: Proposal by Competition Council – Limitations to Class 4 – Major Industrial Lands;
8. **Senator Mac Harb Re: “Smoke-Free Canada” Motion** – Correspondence dated June 16, 2006 from the Senator Mac Harb Re “Smoke-Free Canada” Motion;
9. **Capital Regional District Re: Report to Regional Water Supply Commission – Request for Water Service by the District of Highlands** – Copy of correspondence dated June 21, 2006 from J.A. Hull, General Manager, Water Services, Capital Regional District Re: Report to Regional Water Supply Commission – Request for water Service by the District of Highlands;
10. **ICBC Re: Vancouver Island Aggressive Driving & Intersection Campaign 2006** – Email correspondence dated June 23, 2006 from Donna Stennes, ICBC – V.I. Regional Loss Prevention Re: Vancouver Island Aggressive Driving & Intersection Campaign 2006;
11. **Minister of Forests and Range and Minister Responsible for Housing Re: Safety Standards Amendments Act, 2006** – Correspondence received June 26, 2006 from Rich Coleman, Minister of Forests and Range and Minister Responsible for Housing Re: Safety Standards Amendments Act, 2006;

12. **Copy of Correspondence from Vancouver Island Health Authority Board Chair to Mayor Ted Daly Re: Saanich Peninsula Hospital** – Copy of correspondence dated June 26, 2006 from Jac Kreut, Chair of Vancouver Island Health Authority Board to Mayor Ted Daly, Chair of Saanich Peninsula Hospital Task Force Re: Saanich Peninsula Hospital;
13. **Victoria Family Court and Youth Justice Committee** – Minutes of the Committee Meeting held on February 15, 2006;
14. **Peninsula Recreation Commission** – Minutes of the Commission Meeting held on April 20, 2006

Correspondence Item Nos. 1 to 14 were received for information without a motion.

ADJOURNMENT:

On motion, the Regular Council Meeting held on July 4, 2006 adjourned at 10:25 pm.

Jack Mar
Mayor

Gary C. Nason
Administrator

Recorded by: Ruby Shea
Administrative Assistant