

THE CORPORATION OF THE DISTRICT OF CENTRAL SAANICH

Minutes of the **SPECIAL (OPEN) COUNCIL** Meeting
Tuesday, May 19, 2009, at 7:00 p.m.
Central Saanich Municipal Council Chamber

PRESENT: Mayor Jack Mar
Councillors Bryson, Garrison, Kubek, Mason, Olsen, and Siklenka
Gary C. Nason, Administrator
Sara C. Ribeiro, Municipal Clerk
Rosalyn Tanner, Director of Financial Services
Hope V. Burns, Director of Planning & Building Services

The Municipal Clerk noted the following addition to the Council Agenda:

- Additional information regarding Item No. 2 from the Planning & Development Committee Meeting Minutes of May 11, 2009, pertaining to the Development Permit Application for 1763 Sean Heights ("Ravens Landing Industrial Park") to be included as New Item No. 1(a) under Section VI(1) – Reports of Committees – Standing Committees.

APPROVAL OF THE AGENDA:

400.09 MOVED AND SECONDED
That the Agenda for the Special (Open) Council Meeting of May 19, 2009, be approved as amended.
CARRIED UNANIMOUSLY

ADOPTION OF THE MINUTES:

Minutes of the Regular Council Meeting held on May 4, 2009

401.09 MOVED AND SECONDED
That the Minutes of the Regular Council Meeting held on May 4, 2009, be amended to indicate Councillor Bryson's declared conflict on page 3 as "...he previously put up hay on this property in the course of his farm activities..." and approved as amended.
CARRIED UNANIMOUSLY

Minutes of the Special (Open) Council Meeting held on May 11, 2009

402.09 MOVED AND SECONDED
That the Minutes of the Special (Open) Council Meeting held on May 11, 2009, be approved as circulated.
CARRIED UNANIMOUSLY

Minutes of the Special (Open) Council Meeting held on May 13, 2009

403.09 MOVED AND SECONDED
That the Minutes of the Special (Open) Council Meeting held on May 13, 2009, be approved as circulated.
CARRIED UNANIMOUSLY

BUSINESS ARISING FROM THE MINUTES: Nil.

RISE AND REPORT:

1. Bylaw Enforcement / Litigation File

The Mayor issued the following statement at the May 19, 2009, Special (Open) Council Meeting:

At the In Camera Special Council Meeting held on May 4, 2009, Council authorized its legal counsel to commence civil proceedings in the BC Supreme Court against the registered owner of the property located at 1870 Keating Cross Road, as well as its directors, agents and contractors, to

enforce "Central Saanich Tree Protection Bylaw No. 1595, 2008", and to require the replacement and maintenance of the protected trees on that property.

PUBLIC INQUIRIES AND ANSWERS THERETO: Nil

REPORTS OF COMMITTEES:

Standing Committees:

1. Planning & Development Committee – May 11, 2009

1. Minutes of the Planning & Development Committee Meeting held May 11, 2009

404.09 MOVED AND SECONDED
That the Minutes of the Planning & Development Committee Meeting held on May 11, 2009, be approved as circulated.
CARRIED UNANIMOUSLY

2. Development Permit Application – 1763 Sean Heights; Phases 2 & 3 of 'Ravens Landing Industrial Park'

405.09 MOVED AND SECONDED
That the Staff Memorandum dated May 5, 2009, from the Director of Planning & Building Services Entitled "Development Permit Application – 1763 Sean Heights; Phases 2 & 3 of 'Ravens Landing Industrial Park'" be received, and Council approve the issuance of a Development Permit for the construction of the second and third phases of the 'Raven's Landing Business Park' at 1763 Sean Heights, subject to the following conditions:

1. *That the owner provide confirmation that all exterior lighting will conform to the requirements of the Dominion Astrophysical Observatory;*
2. *That the two parking spaces south of building 'B' be relocated to provide the required setback from the west property line;*
3. *That with any application for a Building Permit for tenant improvements or changes of use within any of the buildings on the site, the owner provide an updated parking plan for the entire site clearly indicating:*
 - a. *All parking and loading spaces (numbered) provided on site;*
 - b. *All tenant spaces within the buildings and their total floor areas;*
 - c. *A table of parking calculations based on the Land Use Bylaw requirements, showing each tenant space and its use;*
4. *That the owner submit a revised landscape plan:*
 - a. *Incorporating the sizes and quantities of tree and shrub plant material between the south side of building 'C' and Verling Avenue, as was approved for the first phase of the development;*
 - b. *Cclearly defining the area of landscaping that is associated with the construction of the caretaker cottage;*
5. *That all planting south of building 'C', except for that area in the immediate vicinity of the caretaker cottage, be complete within one year of the issuance of a certificate of occupancy for building 'C'; and,*
6. *That all planting in the vicinity of the caretaker cottage be complete within one year of the issuance of a certificate of occupancy for the cottage.*

CARRIED UNANIMOUSLY

3. Application for Subdivision; Lot B, Range 2 East, Plan VIP64758 – 5388 Oldfield Road (Derek and Deb Scott)

406.09 MOVED AND SECONDED
That the Staff Memorandum dated May 6, 2009, from the Approving Officer entitled "Application for Subdivision; Lot B, Section 17, Range 2 East, Plan VIP64758 – 6286 Oldfield Road (Derek and Deb Scott)" be received, and Council, pursuant to Section 944 of the Local Government Act, exempt the northerly of the proposed two lots from the requirement for a minimum of 10% of the perimeter of a parcel fronting onto a highway.
CARRIED
OPPOSED: COUNCILLOR BRYSON

4. Development Variance Permit Application for Fencing Beacon Community Services, 1336 Marchant Road

407.09 MOVED AND SECONDED

That the Staff Memorandum dated May 6, 2009, from the Director of Planning & Building Services entitled "Development Variance Permit Application for Fencing Beacon Community Services, 1336 Marchant Road" be received, and Council, in connection with the proposed installation of fencing around a portion of the site for use by the residents as a safe and secure area for the property located at 1336 Marchant Road:

- 1) *Propose to approve the issuance of a Development Variance Permit to vary the maximum fence height from 1.3m to 1.8m; and,*
- 2) *Instruct Staff to undertake the necessary statutory notification procedures.*

CARRIED UNANIMOUSLY

Advisory Committees / Other: Nil.

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

Capital Region Emergency Services Telecommunications (CREST) Inc. – Annual General Meeting: Councillor Garrison noted he will be attending the AGM on May 20, 2009.

Capital Regional District (CRD): Mayor Mar noted the CRD's offer to purchase Puckle Road. The intention is to purchase and subdivide the parcel, with the ALR portion to be sold to the public and the top of bank to the ocean portion to be retained by the CRD for park purposes. Money will have to be borrowed for this project and will require 2/3's support from the CRD municipalities.

Victoria Transit: Mayor Mar noted upcoming changes to the Royal Jubilee hospital to Esquimalt route.

Facilities Planning Process – Fire/Police: The Administrator noted the consultants would be in attendance at the May 25, 2009, Committee Meeting to present to Council on phase one of the facilities project.

STAFF MEMORANDA AND REPORTS: Nil

BYLAWS:

Due to a potential conflict of interest, Councillor Bryson excused himself from the Council Chamber at 7:14 p.m. He stated his property is adjacent to the proposed catchment area and he leases land within the proposed catchment area.

For Consideration of Final Adoption

1. "Mount Newton Cross Road / Senanus Drive Local Service Area Loan Authorization Bylaw No. 1656, 2009"
[Loan Authorization Bylaw for the Mt. Newton Senanus Waterline Extension Project.]

408.09 MOVED AND SECONDED

That "Mount Newton Cross Road / Senanus Drive Local Service Area Loan Authorization Bylaw No. 1656, 2009" be reconsidered, finally passed and adopted.

CARRIED

OPPOSED: COUNCILLORS MASON AND OLSEN

Councillor Bryson returned to the Council Chamber at 7:23 p.m.

DELEGATIONS: Nil

CORRESPONDENCE & PETITIONS:

Due to a potential conflict of interest, Councillor Mason excused herself from the Meeting at 7:23 p.m. Councillor Mason stated she is a Director for the Brentwood Bay Revitalization Committee.

1. Proposed Upcoming Parade in Central Saanich:

- a) Brentwood Bay Festival Parade, June 6, 2009

The Administrator briefly overviewed the correspondence.

It was noted a representative of the Brentwood Bay Revitalization Committee was not in attendance to address her correspondence.

- 409.09 MOVED AND SECONDED
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

Councillor Mason returned to the Council Chamber at 7:24 p.m.

2. Capital Regional District (CRD) Re: Millstream Site Remediation – Invitation to Participate on a Subcommittee to Review Cost Sharing

- a) Correspondence dated May 7, 2009, from the Capital Regional District (CRD) Re: Millstream Site Remediation – Invitation to Participate on a Subcommittee to Review Cost Sharing

The Administrator briefly introduced the matter and overviewed the correspondence.

- 410.09 MOVED AND SECONDED
That the correspondence be received and Council designate Mayor Mar to sit on the proposed subcommittee to review the cost sharing formula for the Millstream Meadows site remediation service.
CARRIED UNANIMOUSLY

3. M Davis Re: Transportation and Infrastructure Priorities

- a) Correspondence dated May 6, 2009, from M Davis Re: Transportation and Infrastructure Priorities

M Davis, Resident, overviewed his correspondence.

- 411.09 MOVED AND SECONDED
That the correspondence be received, and Staff be requested to provide recommendations in regards to both short and long-term remediation and/or upgrading options for Oldfield Road that could potentially address some of the concerns expressed by the letter writer in his correspondence.
CARRIED UNANIMOUSLY

4. P Morrison Re: Newman Park

- a) Correspondence dated May 11, 2009 from P Morrison Re: Newman Park

It was noted P Morrison was not in attendance to address his correspondence.

The Director of Planning & Building Services overviewed the correspondence and proposed construction / re-roofing of the boathouse.

- 412.09 MOVED AND SECONDED
That the correspondence be received, Staff be requested to forward correspondence to the letter writer updating her on the District's

upcoming repairs to the two boathouse structures and the proposed opening of the stairs this summer upon completion of the boathouse project, and Staff be further requested to provide advice to Council on the most appropriate onsite parking option as encouraged by Ms. Morrison in her correspondence.

CARRIED UNANIMOUSLY

UNFINISHED BUSINESS:

1. **CRD Forum of Councils Re: CRD's Strategic Priorities for 2009 – 2011 to be held on Saturday, May 23, 2009, from 7:45 a.m. until 12:00 p.m. at the Delta Ocean Pointe**

The Administrator briefly overviewed this matter.

NEW BUSINESS / OTHER COMPETENT BUSINESS:

1. **June 2009 Calendar of Meetings**

The Administrator briefly overviewed the June 2009 Calendar of Meetings.

The June 2009 Calendar of Meetings was received for information without a motion.

2. **Public Works Week – Open House at the District's Public Works Yard on Thursday, May 21, 2009, from 10:00 a.m. until 2:00 p.m.**

The Administrator briefly overviewed this matter.

Council noted the upcoming Public Works Week Open House to be held at the Works Yard on Thursday, May 21, 2009, from 10:00 a.m. until 2:00 p.m.

CORRESPONDENCE (Receive for General Information)

1. **Correspondence from the Union of BC Municipalities (UBCM):**
 - a) Completion of 2008/209 Community-to-Community Forum
 - b) Acceleration of Community Works Funds Payments
2. **Return-It Re: Recycling Regulation** – Correspondence dated April 28, 2009, from Return-It Re: Recycling Regulation
3. **Correspondence Pertaining to the Mt. Newton / Senanus Waterline Extension Project:**
 - a) I Faulkner (Solicitor for the Mount Newton Neighbourhood Association), May 5, 2009
 - b) G Firestone, May 6, 2009
 - c) I Cameron, May 11, 2009
4. **Correspondence Pertaining to the "Vantreight Farm Hills Project":**
 - a) L Theaker, May 5, 2009
5. **Correspondence Pertaining to the Request for the Installation of Street Lighting on Robin Way:**
 - a) S Biedermann, May 5, 2009
6. **Copy of correspondence from the Agricultural Land Commission to Silver Rill Corn Ltd. Re: Notice of Intent to Place Fill** – Copy of correspondence dated April 28, 2009, from the Agricultural Land Commission to Silber Rill Corn Ltd. Re: "Notice of Intent to Place Fill"

413.09 MOVED AND SECONDED

That the correspondence be received and Staff be requested to provide advice to Council on potential measures or actions that could be undertaken by the District with the objective of working more closely with the Agricultural Land Commission (ALC) and improving the lines of communication with the ALC on issues relating to soil deposit applications for agricultural land.

CARRIED UNANIMOUSLY

7. Victoria Airport Authority Annual Report 2008 – Copy of the Victoria Airport Authority’s Annual Report 2008 entitled “New Horizons”

Item Nos. 1-5 and 7 were received for information without a motion.

L Waters, Resident, inquired if Council received her e-mail she sent on Thursday. It was noted Staff did not receive any late correspondence from Ms. Waters.

ADJOURNMENT

On motion, the Special (Open) Council Meeting held on May 19, 2009, adjourned at 7:46 p.m.

Jack Mar
Mayor

Sara C. Ribeiro
Municipal Clerk

Recorded by: Sara C. Ribeiro
Municipal Clerk