

THE CORPORATION OF THE DISTRICT OF CENTRAL SAANICH

Minutes of the **REGULAR COUNCIL** Meeting
Monday, October 5, 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
Nirmal Bhattacharya, Municipal Engineer
Hope V. Burns, Director of Planning & Building Services

The Municipal Clerk noted the following addition to the Agenda:

- Page 3 of the report from CREST Re: Radio Performance Drive Test and Engineering Services to be added as missing page in Item No. 15 under Section XIII – Correspondence (Receive for General Information)
- Correspondence from BC Transmission Corporation to be included as New Item No. 17 under Section XIII – Correspondence (Receive for General Information)

APPROVAL OF THE AGENDA:

666.09 MOVED AND SECONDED
That the Agenda for the Regular Council Meeting of October 5, 2009, be approved as amended.
CARRIED UNANIMOUSLY

ADOPTION OF THE MINUTES:

Report of the Public Hearing held on September 21, 2009

667.09 MOVED AND SECONDED
That the Report of the Public Hearing held on September 21, 2009, be approved as circulated.
CARRIED UNANIMOUSLY

Minutes of the Regular Council Meeting held on September 21, 2009

668.09 MOVED AND SECONDED
That the Minutes of the Regular Council Meeting held on September 21, 2009, be approved as circulated.
CARRIED UNANIMOUSLY

BUSINESS ARISING FROM THE MINUTES: Nil.

RISE AND REPORT: Nil.

PUBLIC INQUIRIES AND ANSWERS THERETO: Nil.

REPORTS OF COMMITTEES:

Standing Committees: Nil.

Advisory Committees / Other: Nil.

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

Peninsula Recreation Commission:

1. Olympic Torch Relay at Panorama Recreation Centre (Proposed Agenda for October 30, 2009), and Olympic Torch Run (Memorandum from Central Saanich Police Service)

Councillor Kubek briefly spoke to the upcoming Olympic Torch Relay. The Administrator provided a verbal overview of the proposed route, schedule and details of the Relay.

The verbal report from the Administrator was received for information without a motion.

Facilities Planning Process (Fire/Police): The Administrator noted an upcoming Special Committees Meeting scheduled for Wednesday, October 28, 2009.

Highway 17 Joint Peninsula Steering Committee: The Administrator noted the recent inaugural meeting of this Committee, and he advised that a meeting was held at the recent UBCM Annual Conference with the Ministry of Transportation.

Union of BC Municipalities Conference: Councillor Mason noted her attendance at some very useful workshops at the conference, including a climate change workshop. She noted the need to make decisions with sustainability in mind. Councillor Siklenka advised the meeting with the Ministry of Transportation was very useful and productive. Mayor Mar briefly to the Harmonized Sales Tax resolution, exemptions for farmers, and a review of the *Local Government Act* pertaining to elections.

STAFF MEMORANDA AND REPORTS:

1. Staff Memorandum

- a) Staff Memorandum dated September 23, 2009, from the Senior Engineering Technician entitled "Summer 2009 Review – Expansion of Sewer Collection Area No. 1"

The Municipal Engineer overviewed the Staff Memorandum pertaining to the property located at 949 Benvenuto Avenue, and responded to questions from Council.

669.09 MOVED AND SECONDED

That the Staff Memorandum dated September 23, 2009, from the Senior Engineering Technician entitled "Summer 2009 Review – Expansion of Sewer Collection Area No. 1" be received, and in regards to the request for inclusion, into Sewer Collection Area No. 1, of the additional contributing area for an accessory building with a washroom at 949 Benvenuto Avenue, Council approve this request by incorporating the area of the accessory building by "metes and bounds" description, and Staff be instructed to prepare the necessary Sewer Inclusion Bylaw.

CARRIED UNANIMOUSLY

The Municipal Engineer overviewed the Staff Memorandum pertaining to the property legal described as Lot 2, Section 12, Range 1 West, SSD Plan 8878 (Marin Park), and responded to questions from Council.

A Gray, applicant, spoke to his request and responded to questions from Council.

670.09 MOVED AND SECONDED

That in consideration of the unique and challenging physical features of the site legally described as Lot 2, Section 12, Range 1 West, SSD Plan 8878 (Marin Park), including the supporting documentation provided by the Applicant indicating the significant potential for future failure of an on-site treatment system under certain conditions, as well as the recommendation of the Vancouver Island Health Authority (VIHA), that any future house on this lot be connected to the District's sewer system, Council authorize that the portion of the parcel containing the residential

dwelling unit as described by an appropriate "metes and bounds" description be incorporated into Sewer Collection Area No. 1.

BEFORE THE QUESTION WAS CALLED, it was

MOTION TO TABLE

671.09

MOVED AND SECONDED

That further consideration of the foregoing motion be tabled to permit the Applicant to respond to questions from Council.

CARRIED UNANIMOUSLY

Councillor Mason inquired if the applicant would be willing to consider a Statutory Right-of-Way for a portion of this property.

Mr. Gray advised it is something he would consider.

MOTION TO LIFT FROM TABLE

672.09

MOVED AND SECONDED

That the foregoing motion be lifted from the table.

CARRIED UNANIMOUSLY

MOTION TO AMEND

673.09

MOVED AND SECONDED

*That the foregoing motion be amended to include the following wording:
" , and Staff be further requested to negotiate with the Applicant a Statutory Right-of-Way for maintenance purposes over the existing drainage course located on the subject property, and further that a Restrictive Covenant be placed on this property to prohibit any development or subdivision of this site."*

BEFORE THE QUESTION WAS CALLED, it was

MOTION TO SEVER

674.09

MOVED AND SECONDED

That the foregoing amending motion be severed as follows:

Part One:

*That the foregoing motion be amended to include the following wording:
" , and Staff be further requested to negotiate with the Applicant a Statutory Right-of-Way for maintenance purposes over the existing drainage course located on the subject property."*

Part Two

*That the foregoing motion be amended to include the following wording:
" , and further that a Restrictive Covenant be placed on this property to prohibit any development or subdivision of this site."*

CARRIED UNANIMOUSLY

THE QUESTION WAS CALLED ON PART ONE OF THE MOTION
CARRIED UNANIMOUSLY

THE QUESTION WAS CALLED ON PART TWO OF THE MOTION
DEFEATED

THE QUESTION WAS CALLED ON THE MAIN MOTION AS AMENDED
CARRIED

2. Staff Memorandum

- a) Staff Memorandum dated October 5, 2009, from the Municipal Clerk entitled "District of Central Saanich 'Exposure Control Plan – Pandemic Influenza'"

The Municipal Clerk overviewed the Staff Memorandum and responded to questions of Council.

675.09 MOVED AND SECONDED
The Staff Memorandum dated October 5, 2009, from the Municipal Clerk entitled "District of Central Saanich 'Exposure Control Plan – Pandemic Influenza'" be received, and Council adopt the proposed "Exposure Control Plan – Pandemic Influenza".
CARRIED UNANIMOUSLY

BYLAWS:

For Introduction, Second Reading and Referral to a Public Hearing:

1. "Central Saanich Land Use Bylaw Amendment Bylaw No. 1650, 2009"
[A Bylaw to Amend the Land Use Bylaw to Rezone all A-2 Lands to the A-1 Zone]

676.09 MOVED AND SECONDED
That "Central Saanich Land Use Bylaw Amendment Bylaw No. 1650, 2009" receive first reading.
CARRIED UNANIMOUSLY

677.09 MOVED AND SECONDED
That "Central Saanich Land Use Bylaw Amendment Bylaw No. 1650, 2009" receive second reading.
BEFORE THE QUESTION WAS CALLED, it was

MOTION TO TABLE
678.09 MOVED AND SECONDED
That further consideration of the foregoing motion be tabled.
CARRIED UNANIMOUSLY

A brief discussion occurred between Council and Staff responded to questions.

MOTION TO LIFT FROM TABLE
679.09 MOVED AND SECONDED
That the foregoing motion be lifted from the table.
CARRIED UNANIMOUSLY

THE QUESTION WAS CALLED ON THE MAIN MOTION
CARRIED UNANIMOUSLY

680.09 MOVED AND SECONDED
That Staff be directed to ensure that all current owners/occupiers of A-2 Zoned property in the District are notified sufficiently in advance of the Public Hearing to be held on November 23, 2009, at 6:30 p.m. including appropriate details on the proposed Bylaw.
CARRIED UNANIMOUSLY

681.09 MOVED AND SECONDED
That "Central Saanich Land Use Bylaw Amendment Bylaw No. 1650, 2009" be referred to a Public Hearing to be held on November 23, 2009, at 6:30 p.m.
CARRIED UNANIMOUSLY

2. "Central Saanich OCP Amendment (GHG Reduction Targets) Bylaw No. 1679, 2009"
[A Bylaw to Amend the Official Community Plan to Include Greenhouse Gas Emissions Reduction Targets]

682.09 MOVED AND SECONDED
That "Central Saanich OCP Amendment (GHG Reduction Targets) Bylaw No. 1679, 2009" receive first reading.
CARRIED UNANIMOUSLY

683.09 MOVED AND SECONDED
That "Central Saanich OCP Amendment (GHG Reduction Targets) Bylaw No. 1679, 2009" receive second reading.
CARRIED UNANIMOUSLY

684.09 MOVED AND SECONDED
That "Central Saanich OCP Amendment (GHG Reduction Targets) Bylaw No. 1679, 2009" be referred to a Public Hearing to be held on November 23, 2009, at 6:30 p.m.
CARRIED UNANIMOUSLY

For Consideration of Final Adoption:

1. "East Saanich Road Improvements Loan Authorization Bylaw No. 1665, 2009"
[A Bylaw to Authorize the Borrowing of the Estimated Cost of Constructing Improvements to a Section of East Saanich Road Between Cultra Avenue and Island View Road]

685.09 MOVED AND SECONDED
That "East Saanich Road Improvements Loan Authorization Bylaw No. 1665, 2009" be reconsidered, finally passed and adopted.
CARRIED
OPPOSED: COUNCILLOR BRYSON

Due to a potential conflict of interest, Councillor Kubek excused himself from the Meeting at 8:00 p.m. Councillor Kubek stated he has land within the proposed area for Bylaw No. 1629.

Motion to Abandon Bylaw No. 1629, 2008:

1. "District of Central Saanich Development Cost Charge Amendment Bylaw No. 1629, 2008"
[A Bylaw to Amend the Development Cost Charge Bylaw in Respect of Special Road Improvements (Underground Electrical Wiring) on West Saanich Road in the Brentwood Bay Commercial Area]

686.09 MOVED AND SECONDED
That "District of Central Saanich Development Cost Charge Amendment Bylaw No. 1629, 2008" be abandoned.
CARRIED UNANIMOUSLY

Councillor Kubek returned to the Council Chamber at 8:01 p.m.

DELEGATIONS / PRESENTATIONS: Nil

CORRESPONDENCE & PETITIONS:

1. Capital Regional District (CRD) Environmental Services Re: 2010 Stormwater Quality Program Budget

- a) Correspondence dated September 24, 2009, from the Capital Regional District (CRD) Environmental Services Re: 2010 Stormwater Quality Program Budget

The Administrator briefly overviewed the correspondence.

It was noted that no representative from the Capital Regional District (CRD) Environmental Services was in attendance to speak to their correspondence.

A discussion occurred between Council and Staff responded to questions.

687.09 MOVED AND SECONDED
That the correspondence be received and Council indicate its support for a continuous supplementary of \$20,000 in the Saanich Peninsula stormwater quality budget to all CRD staff to increase the number of investigations for stormwater discharges rated high for public health concern.
CARRIED UNANIMOUSLY

2. R van Lierop Re: Safety Concerns – Intersection of Wallace Drive and Benvenuto Avenue

- a) Correspondence dated September 21, 2009, from R van Lierop Re: Safety Concerns – Intersection of Wallace Drive and Benvenuto Avenue

The Administrator overviewed the correspondence.

R van Lierop, Resident, spoke to his correspondence.

688.09 MOVED AND SECONDED
That the correspondence be received and referred to Staff for review and appropriate action as deemed warranted.
CARRIED UNANIMOUSLY

3. J, M & O Fleming Re: East Saanich Road Project

- a) Correspondence dated September 29, 2009, from J, M & O Fleming Re: East Saanich Road Project

The Administrator briefly overviewed the correspondence.

M Fleming, Resident, spoke to the correspondence.

689.09 MOVED AND SECONDED
That the correspondence be received and referred to Staff for review and appropriate action as deemed warranted.
CARRIED UNANIMOUSLY

UNFINISHED BUSINESS: Nil

NEW BUSINESS / OTHER COMPETENT BUSINESS:

1. Updated October 2009 Calendar of Meetings

The Municipal Clerk briefly overviewed the updated October 2009 Calendar of Meetings noting

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

2. November 2009 Calendar of Meetings

The Municipal Clerk briefly overviewed the November 2009 Calendar of Meetings.

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

3. 2010 Strategic Planning Process – Tentative Proposed Dates (January 27 & 28, 2010)

The Administrator provided a brief verbal overview of the proposed Strategic Planning Process for 2010.

690.09 MOVED AND SECONDED
That the 2010 Strategic Planning Process comprise a single externally facilitated session on January 28, 2010, with the preceding evening session on January 27, 2010, to comprise a less structured session involving Council members and the Administrator.
CARRIED UNANIMOUSLY

CORRESPONDENCE (Receive for General Information)

1. Correspondence from the Union of BC Municipalities (UBCM):

- a) Delivery of Building Canada and Infrastructure Stimulus Funds

2. **Letters of Thanks / Appreciation:**
 - a) The Butchart Gardens Re: Donation to the Central Saanich Fire Department
 - b) Stelly's School Re: 2009 Grant-in-Aid
3. **Correspondence Pertaining to the Request for Traffic Calming Measures in the Area Bounded by Keating Cross Road, Central Saanich Road, and Tanner Road:**
 - a) R Atkins, September 16, 2009
 - b) Copy of the Resolution which was adopted on July 6, 2009, pertaining to this issue
4. **Correspondence Pertaining to the Request for Traffic Calming Measures on Early Place:**
 - a) T Cameron, September 21, 2009
 - b) Copy of two Resolutions which were adopted on July 6, 2009, pertaining to this issue

R Hodd, Resident, spoke to this matter.

691.09 **MOVED AND SECONDED**
That in regards to the request for traffic calming, speed control and street lighting measures on Early Place, Council approve the 2009 the installation of two speed humps and associated signage at an approximate cost of \$4,000.00, with the source of funding to be Reserves and Accumulated Surplus.
CARRIED

5. **Correspondence Pertaining to the Rezoning Application for 7410 Veyaness Road – Proposed Seniors' Care Facility Project (Frank Gruber):**
 - a) S Leard, September 24, 2009
6. **Correspondence Pertaining to the "Vantreight Farm Hills Project":**
 - a) Copy of correspondence from the Capital Regional District (CRD) to Mr. David Wilson, September 22, 2009
7. **Correspondence Pertaining to the Request for Municipal Water from Residents North and West of Mt. Newton Cross Road:**
 - b) M Venn, September 23, 2009
8. **Copy of Correspondence from the Peninsula Agricultural Commission to the Capital Regional District (CRD) Re: CRD Proposal to Ban Wood Waste and Product Stewardship Materials at Hartland Landfill Effective March 1, 2010 –** Copy of correspondence dated September 14, 2009, from the Peninsula Agricultural Commission to the Capital Regional District (CRD) Re: CRD Proposal to Ban Wood Waste and Product Stewardship Materials at Hartland Landfill Effective March 1, 2010
9. **British Columbia Achievement Foundation Re: BC Community Achievement Awards –** Correspondence dated September 17, 2009, from the British Columbia Achievement Foundation Re: BC Community Achievement Awards
10. **District of Kitimat Re: Response to Major Industrial Lobby on Property Taxation –** Correspondence dated September 28, 2009, from the District of Kitimat Re: Response to Major Industrial Lobby on Property Taxation
11. **Minister of Children and Family Development and Minister Responsible for Child Care Re: Foster Family Month –** Correspondence dated September 21, 2009 from the Minister of Children and Family Development and Minister Responsible for Child Care Re: Foster Family Month
12. **BC Sustainable Energy Association Re: Climate Change Showdown –** Correspondence dated September 23, 2009, from BC Sustainable Energy Association Re: Climate Change Showdown
13. **Copy of Correspondence from the City of Coquitlam to the Premier of British Columbia Re" Provincial Arts Cuts –** Copy of correspondence dated September 24, 2009, from the City of Coquitlam to the Premier of British Columbia Re" Provincial Arts Cuts

- 14. Copy of Correspondence from the City of North Vancouver to the UBCM Member Municipalities Re: Harmonized Sales Tax (HST) Impact on District Energy Systems** – Copy of correspondence dated September 24, 2009, from the City of North Vancouver to the UBCM Member Municipalities Re: Harmonized Sales Tax (HST) Impact on District Energy Systems
- 15. Capital Regional Emergency Service Telecommunications (CREST) Re: Radio Performance Drive Test and Engineering Services** – Correspondence dated September 23, 2009, from the Capital Regional Emergency Service Telecommunications (CREST) Re: Radio Performance Drive Test and Engineering Services
- 16. Minutes of Various Boards, Committees and Commissions:**
- a) Panorama Recreation Commission, July 16, 2009
 - b) Capital Regional District Board, September 9, 2009
 - c) Capital Regional Hospital District Board, September 9, 2009
- 17. BC Transmission Corporation Re: Saanich Peninsula Transmission Project** – Correspondence dated September 29, 2009, from BC Transmission Corporation Re: Saanich Peninsula Transmission Project

Item Nos. 1-3 and 5-17 were received for information without a motion.

ADJOURNMENT

On motion, the Regular Council Meeting held on October 5, 2009, adjourned at 8:58 p.m.

Jack Mar
Mayor

Sara C. Ribeiro
Municipal Clerk

Recorded by: Sara C. Ribeiro
Municipal Clerk