

THE CORPORATION OF THE DISTRICT OF CENTRAL SAANICH

Minutes of the **SPECIAL (OPEN) COUNCIL** Meeting  
Tuesday, September 8, 2009, at 7:00 p.m.  
Central Saanich Municipal Council Chamber

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**PRESENT:** Mayor Jack Mar  
Councillors Bryson, Garrison, Kubek, and Olsen  
Gary C. Nason, Administrator  
Sara C. Ribeiro, Municipal Clerk  
Nirmal Bhattacharya, Municipal Engineer  
Hope V. Burns, Director of Planning & Building Services

**ABSENT:** Councillors Mason and Siklenka

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The Municipal Clerk noted the following addition to the Agenda:

- Correspondence from S&J Leard dated September 7, 2009, to be considered in conjunction with the Staff Memorandum pertaining to 7410 Veyaness Road (Frank Gruber) as New Item 2(b) under Section VII – Staff Memoranda and Reports

The Municipal Clerk noted the removal of the following items from the Agenda:

- Item No. 4 under Section VII – Staff Memoranda and Reports – Staff Memorandum dated August 20, 2009, from the Senior Engineering Technician entitled “Summer 2009 Review – Expansion of Sewer Collection Area No. 1
- Item 10 under Section XIII – Correspondence (Receive for General Information) correspondence pertaining to the Mt. Newton / Senanus Waterline Extension Project dated September 2, 2009, from the Central Saanich West Voters Association

**APPROVAL OF THE AGENDA:**

607.09            MOVED AND SECONDED  
*That the Agenda for the Special (Open) Council Meeting of September 8, 2009, be approved as amended.*  
CARRIED UNANIMOUSLY

**ADOPTION OF THE MINUTES:**

**Minutes of the Special (Open) Council Meeting held on July 27, 2009**

608.09            MOVED AND SECONDED  
*That the Minutes of the Special (Open) Council Meeting held on August 17, 2009, be amended on page 10 to indicate that Councillor Bryson returned to the Council Chamber at 9:50 p.m. following Resolution No. 601-09, and be approved as amended.*  
CARRIED UNANIMOUSLY

**BUSINESS ARISING FROM THE MINUTES:** Nil.

**RISE AND REPORT:**

**1. “Community-at-Large” Representative to the Highway 7 Joint Peninsula Steering Committee**

Mayor Mar advised of the following:

At the In Camera Council Meeting held on August 17, 2009, Council resolved as follows:

*That Council appoint Mr. Thomas Kouk as the District’s “Community-at-Large” Representative on the Highway 17 Joint Peninsula Steering Committee.*

**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:** Nil.

**STAFF MEMORANDA AND REPORTS:**

**1. Staff Memorandum**

- a) Staff Memorandum dated September 1, 2009, from the Planner entitled "Application to Amend Development Permit No. 3060-20-4/09; 1763 Sean Heights – Phases 2 & 3 of 'Ravens Landing Industrial Park'"

The Director of Planning & Building Services overviewed the Staff Memorandum and responded to questions from Council.

609.09            MOVED AND SECONDED

*That the Staff Memorandum dated September 1, 2009, from the Planner entitled "Application to Amend Development Permit No. 3060-20-4/09; 1763 Sean Heights – Phases 2 & 3 of 'Ravens Landing Industrial Park'" be received, and Council approve an amendment to the Development Permit for the construction of the second and third phases of the 'Ravens Landing Business Park' at 1763 Sean Heights as requested, subject to all of the original conditions of the Development Permit No. 3060-20-4/09.*

CARRIED UNANIMOUSLY

***Due to a potential conflict of interest, Councillor Kubek excused himself from the Council Chamber at 7:05 p.m. He indicated he has a previous business relationship with the applicant.***

**2. Staff Memorandum**

- a) Staff Memorandum dated September 2, 2009, from the Planner entitled "Additional Information - OCP Amendment, Zoning Amendment, Development Permit & Development Variance Permit Application; 7410 Veyaness Road (Frank Gruber) – Addendum Report"
- b) Correspondence from S&J Leard, September 7, 2009

The Director of Planning & Building Services overviewed the Staff Memorandum and responded to questions of Council.

Mr. Frank Gruber, applicant, briefly spoke to this application.

S Leard, Resident, spoke to her correspondence.

610.09            MOVED AND SECONDED

*The Staff Memorandum dated September 2, 2009, from the Planner entitled "Additional Information - OCP Amendment, Zoning Amendment, Development Permit & Development Variance Permit Application; 7410 Veyaness Road (Frank Gruber) – Addendum Report" be received, and the applicant provide the following additional information for review by Staff and consideration by Council prior to referral of the OCP amendment, rezoning and housing agreement bylaws for the proposed development of a 60-unit Seniors' Care Facility on the property at 7410 Veyaness Road to a Public Hearing:*

- a) *Traffic impact study; and,*
- b) *Updated landscape plans indicating what measures will be taken to protect existing trees and buffer adjacent farm operations.*

CARRIED UNANIMOUSLY

***Councillor Kubek returned to the Council Chamber at 7:14 p.m.***

### 3. Staff Memorandum

- a) Staff Memorandum dated September 1, 2009, from the Approving Officer entitled "Application for Subdivision (Lot Line Reconfiguration) of Lot 12, Section 14, Range 4 East, South Saanich District, Plan 15112 (6671 Tamany Drive) and Lot B, Section 14, Range 4 East, South Saanich District, Plan VIP56725 (6665 Tamany Drive)"

The Director of Planning & Building Services overviewed the Staff Memorandum.

- 611.09            MOVED AND SECONDED  
*That the Staff Memorandum dated September 1, 2009, from the Approving Officer entitled "Application for Subdivision (Lot Line Reconfiguration) of Lot 12, Section 14, Range 4 East, South Saanich District, Plan 15112 (6671 Tamany Drive) and Lot B, Section 14, Range 4 East, South Saanich District, Plan VIP56725 (6665 Tamany Drive)" be received, and in connection with the proposed subdivision (lot line reconfiguration) of Lot 12, Section 14, Range 4 East, South Saanich District, Plan 15112 (6671 Tamany Drive) and Lot B, Section 14, Range 4 East, South Saanich District, Plan VIP56725 (6665 Tamany Drive) (as shown on the proposed plan of the subdivision), Council, pursuant to Section 944 of the Local Government Act, exempt the southerly of the proposed two lots from the requirement for a minimum of 10% of the perimeter of a parcel fronting onto a highway.*  
CARRIED UNANIMOUSLY

#### BYLAWS:

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

The Director of Planning & Building Services overviewed the Bylaws and suggested a Public Hearing date of Thursday, October 15, 2009.

1. "Central Saanich Official Community Plan Bylaw Amendment Bylaw No. 1671, 2009"  
[A Bylaw to Amend the Official Community Plan for 1893 Prosser Road – Stone House Lane]

- 612.09            MOVED AND SECONDED  
*That "Central Saanich Official Community Plan Bylaw Amendment Bylaw No. 1671, 2009" receive first reading.*  
CARRIED UNANIMOUSLY

- 613.09            MOVED AND SECONDED  
*That "Central Saanich Official Community Plan Bylaw Amendment Bylaw No. 1671, 2009" receive second reading.*  
CARRIED UNANIMOUSLY

- 614.09            MOVED AND SECONDED  
*That "Central Saanich Official Community Plan Bylaw Amendment Bylaw No. 1671, 2009" be referred to a Public Hearing to be held on October 15, 2009, at 7:00 p.m.*  
CARRIED UNANIMOUSLY

2. "Central Saanich Land Use Bylaw Amendment Bylaw No. 1672, 2009"  
[A Bylaw to Amend the Land Use Bylaw for 1893 Prosser Road – Stone House Lane]

- 615.09            MOVED AND SECONDED  
*That "Central Saanich Land Use Bylaw Amendment Bylaw No. 1672, 2009" receive first reading.*  
CARRIED UNANIMOUSLY

- 616.09            MOVED AND SECONDED  
*That "Central Saanich Land Use Bylaw Amendment Bylaw No. 1672, 2009" receive second reading.*  
CARRIED UNANIMOUSLY

617.09 MOVED AND SECONDED  
*That "Central Saanich Land Use Bylaw Amendment Bylaw No. 1672, 2009" be referred to a Public Hearing to be held on October 15, 2009, at 7:00 p.m.*  
CARRIED UNANIMOUSLY

3. "Central Saanich Housing Agreement Bylaw No. 1673, 2009"  
[A Bylaw to Authorize the District of Central Saanich to Enter into a Housing Agreement for 1893 Prosser Road – Stone House Lane]

618.09 MOVED AND SECONDED  
*That "Central Saanich Housing Agreement Bylaw No. 1673, 2009" receive first reading.*  
CARRIED UNANIMOUSLY

619.09 MOVED AND SECONDED  
*That "Central Saanich Housing Agreement Bylaw No. 1673, 2009" receive second reading.*  
CARRIED UNANIMOUSLY

620.09 MOVED AND SECONDED  
*That "Central Saanich Housing Agreement Bylaw No. 1673, 2009" be referred to a Public Hearing to be held on October 15, 2009, at 7:00 p.m.*  
CARRIED UNANIMOUSLY

***Due to a potential conflict of interest, Councillor Kubek excused himself from the Council Chamber at 7:19 p.m. He indicated he has a previous business relationship with the applicant.***

The Director of Planning & Building Services briefly spoke to this application.

4. "Central Saanich Official Community Plan Bylaw Amendment Bylaw No. 1674, 2009"  
[A Bylaw to Amend the Official Community Plan for 7410 Veyaness Road – Seniors' Care Facility Project]

5. "Central Saanich Land Use Bylaw Amendment Bylaw No. 1675, 2009"  
[A Bylaw to Amend the Land Use Bylaw for 7410 Veyaness Road – Seniors' Care Facility Project]

6. "Central Saanich Housing Agreement Bylaw No. 1676, 2009"  
[A Bylaw to Authorize the District of Central Saanich to Enter into a Housing Agreement for 7410 Veyaness Road – Seniors' Care Facility Project]

621.09 MOVED AND SECONDED  
*That introduction and further readings of "Central Saanich Official Community Plan Bylaw Amendment Bylaw No. 1674, 2009", "Central Saanich Land Use Bylaw Amendment Bylaw No. 1675, 2009", and "Central Saanich Housing Agreement Bylaw No. 1676, 2009" be deferred to a future Council Meeting when it is anticipated all members of Council will be in attendance.*  
CARRIED UNANIMOUSLY

***Councillor Kubek returned to the Council Chamber at 7:21 p.m.***

DELEGATIONS: Nil

CORRESPONDENCE & PETITIONS:

1. Capital Regional District Re: CRD Bylaw No. 3635, "Capital Regional District Regional Housing Trust Fund Service Establishment Bylaw No. 1, 2005, Amendment Bylaw No. 5, 2009"

a) Correspondence dated August 28, 2009, from the Capital Regional District Re: CRD Bylaw No. 3635, "Capital Regional District Regional Housing Trust Fund Service Establishment Bylaw No. 1, 2005, Amendment Bylaw No. 5, 2009"

The Administrator briefly overviewed the correspondence.

It was noted a representative from the Capital Regional District was not in attendance to address their correspondence.

- 622.09            MOVED AND SECONDED  
*That the correspondence be received and Council consent to the adoption of "CRD Bylaw No. 3635" in accordance with Section 801.4 of the Local Government Act.*  
CARRIED UNANIMOUSLY

***Due to a potential conflict of interest, Councillor Kubek excused himself from the Council Chamber at 7:23 p.m. He indicated he was the realtor involved in this property transaction.***

**2. H Nandhra Re: Request to Remove Restrictive Covenant for Property Located at 6799 Jedora Drive**

- a) Correspondence dated August 31, 2009, from H Nandhra Re: Request to Remove Restrictive Covenant for Property Located at 6799 Jedora Drive

The Administrator overviewed the correspondence.

H. S. Nandhra, Resident, was in attendance but did not address his correspondence.

- 623.09            MOVED AND SECONDED  
*That the correspondence be received and Council authorize an amendment of the Section 219 Covenant for Lot A (6799 Jedora Drive) to allow for the construction of a legal secondary suite within the house subject to the owner obtaining all necessary building permits and approvals, with all legal costs to amend the Covenant to be borne by the applicant.*  
CARRIED UNANIMOUSLY

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

**3. S Mann Re: Water Service at 7161 Wallace Drive**

- a) Correspondence dated August 11, 2009, from S Mann Re: Water Service at 7161 Wallace Drive

The Administrator briefly overviewed the correspondence.

It was noted S Mann was not in attendance at the Meeting to address his correspondence.

- 624.09            MOVED AND SECONDED  
*That the correspondence be received and referred to Staff for review and recommendation.*  
CARRIED UNANIMOUSLY

**4. B Earnshaw Re: Request for Sidewalk on the South Side of Keating Cross Road Between Gateway and Central Saanich Road**

- a) E-mail correspondence dated August 13, 2009, from B Earnshaw Re: Request for Sidewalk on the South Side of Keating Cross Road Between Gateway and Central Saanich Road

The Administrator briefly overviewed the correspondence.

B Earnshaw, Resident, spoke to her correspondence.

- 625.09            MOVED AND SECONDED  
*That the correspondence be received and referred to Staff for review and appropriate action as deemed warranted, or recommendation back to Council if required.*  
CARRIED UNANIMOUSLY

**5. D Smart Re: Installation of Speed Bumps in Central Saanich**

- a) E-mail correspondence dated August 15, 2009, from D Smart Re: Installation of Speed Bumps in Central Saanich

The Administrator briefly overviewed the correspondence.

It was noted D Smart was not in attendance at the Meeting to address her correspondence.

626.09            MOVED AND SECONDED  
                      *That the correspondence be received and the contents noted.*  
                      CARRIED UNANIMOUSLY

**6. N Winters Re: Pedestrian Safety at East Saanich Road and Mt. Newton Cross Road**

- a) Correspondence dated August 18, 2009, from N Winters Re: Pedestrian Safety at East Saanich Road and Mt. Newton Cross Road

The Administrator briefly overviewed the correspondence.

N Winters, Resident, spoke to his correspondence.

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

*The correspondence was received for information without a motion.*

**UNFINISHED BUSINESS:** Nil

**NEW BUSINESS / OTHER COMPETENT BUSINESS:**

**1. Updated September 2009 Calendar of Meetings**

The Administrator briefly overviewed the revised September 2009 Calendar of Meetings.

*The revised September 2009 Calendar of Meetings was received for information without a motion.*

**CORRESPONDENCE (Receive for General Information)**

- 1. BC Hydro Re: 2009 UBCM Annual Convention Meeting Availability –**  
Correspondence dated August 14, 2009, from BC Hydro Re: 2009 UBCM Annual Convention Meeting Availability
- 2. BC First Nations Forestry Council (2) Re: News Releases:**
  - a) “BC First Nations and Municipalities Cheated – Left at Great Risk by Broken Promises”
  - b) “Chronology of Events; BC Forest Fire Threat to BC First Nations
- 3. T Enemark Re: Excessive Class 4 Taxation in Some BC Municipalities -**  
Correspondence dated August 24, 2009, from T Enemark Re: Excessive Class 4 Taxation in Some BC Municipalities
- 4. City of Victoria Re: Support for Johnson Street Bridge Replacement Project –**  
Correspondence dated August 28, 2009, from the City of Victoria Re: Support for Johnson Street Bridge Replacement Project
- 5. Minutes of Various Boards, Committees and Commissions:**
  - a) Capital Regional District Board, August 12, 2009

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

**ADJOURNMENT**

*On motion, the Special (Open) Council Meeting held on September 8, 2009, adjourned at 7:34 p.m.*

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Jack Mar  
Mayor

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Sara C. Ribeiro  
Municipal Clerk

Recorded by: Sara C. Ribeiro  
Municipal Clerk