

THE CORPORATION OF THE DISTRICT OF CENTRAL SAANICH

Minutes of the **SPECIAL (OPEN) COUNCIL** Meeting
Monday, July 4, 2005 at 7:00 p.m.
Central Saanich Municipal Council Chamber

PRESENT: Mayor Allison Habkirk
Councillors: Graham, Haddon, and King
Gary C. Nason, Administrator
Hope V. Burns, Director of Planning & Building Services
Nirmal Bhattacharya, Municipal Engineer
Ed Sykora, Director of Financial Services
Ron French, Fire Chief
Ruby Shea, Recording Secretary

ABSENT: Councillors: Korol, Mason and Thompson

APPROVAL OF THE AGENDA:

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

- Correspondence from Richard and Beryl Wall, 6925 Central Saanich Road, to be included under Section IX Staff Memoranda and Reports Item No. 1 a Recommended Notice on Title for 6925 Central Saanich Road;
- Further documentation from the British Columbia Transmission Corporation outlining the proposed hazard, edge and under the wire tree removals in connection with Edge Tree/Blue Dot Program in Central Saanich, to be included with Item No. 2 under Section VII Correspondence (Action Required or Recommended);
- The deletion of Item No. 1 under Section VI Presentations/Petitions and Delegations – the Proposed Presentation from the Carolwood Manor Summer Splash Foundation due to the illness of the letter writer;
- Email correspondence dated July 4, 2005 from Mr. John Senyk regarding Secondary Suites to be included as Item No. 8 under Section VII Correspondence (Action Required or Recommended);
- Correspondence from Mr. Jack Shewchuck, Vice-President, Greig Court Strata Council dated June 30, 2005 to be included with Item No. 3 under Section IX Staff Memoranda and Reports - the Memorandum from the Director of Planning & Building Services Re: Request for Amendment of Covenant Strata Lot 1, 6797 Greig Court;

891.05 MOVED BY COUNCILLOR HADDON
 SECONDED BY COUNCILLOR KING
 That the Agenda for the Special (Open) Council Meeting held on July 4, 2005 be approved as amended.
 CARRIED UNANIMOUSLY

OPENING REMARKS:

Mayor Habkirk introduced the new reporter from the Peninsula News Review who will be covering the Central Saanich Municipal Council Meetings, Ms. Christine Van Reeuwijk. Mayor Habkirk also advised the gallery that a Public Meeting on the future status of the Brentwood Bay/Mill Bay Ferry will be held in the Fire Training Centre commencing at 7:00 pm on Wednesday, July 6, 2005. Finally Mayor Habkirk noted the recent completion by Fire Chief Ron French of the Justice Institute of British Columbia's Emergency Management Certificate program. Mayor Habkirk stated that Chief French was one of the first to enter this program and completed the criteria of the three year program in two years. Chief French was among sixteen people who are the first graduates of this program and he received his certificate at a graduation ceremony on June 23, 2005 at the Justice Institute of British Columbia. Mayor Habkirk commended Chief French for his initiative and achievement in this regard.

ADOPTION OF THE MINUTES:

Minutes of the Regular Council Meeting held on June 20, 2005

- 892.05 MOVED BY COUNCILLOR KING
 SECONDED BY COUNCILLOR HADDON
 That the Minutes for the Regular Council Meeting held on June 20, 2005 be adopted as circulated.
 CARRIED UNANIMOUSLY

Report of the Public Hearing held on June 27, 2005

- 893.05 MOVED BY COUNCILLOR KING
 SECONDED BY COUNCILLOR HADDON
 That the Report of the Public Hearing held on June 27, 2005 be received as circulated.
 CARRIED UNANIMOUSLY

Minutes of the Special (Open) Council Meeting held on June 27, 2005

- 894.05 MOVED BY COUNCILLOR KING
 SECONDED BY COUNCILLOR HADDON
 That the Minutes for the Special (Open) Council Meeting held on June 27, 2005 be adopted as circulated.
 CARRIED UNANIMOUSLY

BUSINESS ARISING FROM THE MINUTES:

1. Resolution No. 830.05 – Remedial Action Resolution (6500 Lochside Drive – Accessory Building Converted to Dwelling Unit)
 - a) Staff Memorandum dated May 20, 2005 entitled “6500 Lochside Drive – Accessory Building Converted to Dwelling Unit”;
 - b) Correspondence dated June 8, 2005 from Mr. Frans K. Winkel, 6500 Lochside Drive;
 - c) Council Resolution No. 830.05 from the June 20th, 2005 Regular Council Meeting pertaining to this issue;
 - d) Follow-up Staff Memorandum dated June 29, 2005 entitled “6500 Lochside Drive – Accessory Building Converted to Dwelling Unit”

The Director of Planning & Building Services, Ms. Hope V. Burns, updated Council on the current status of the property located at 6500 Lochside Drive and the proposed remedial action resolution for the accessory building which has been converted to a dwelling unit. Ms. Burns overviewed the contents of her follow-up Memorandum dated June 29, 2005 and responded to questions from members of Council.

The property owner, Mr. Frans K. Winkel, was in attendance at the Meeting and advised that his solicitor is currently preparing the required restrictive covenant, and that the meeting which was held with Councillor Thompson and Municipal Staff on June 22, 2005 was a productive endeavour.

Mr. L. Fjelstad, 923 Stelly's Cross Road, was in attendance at the Meeting and indicated that he wished to speak against the Staff recommendation. Mr. Fjelstad indicated that this has been a long outstanding issue and that an Agricultural Land Commission directive has been issued with respect to the property. Mr. Fjelstad stated that it is a requirement that a restrictive covenant be registered before any Building Permits are issued.

The Director of Planning & Building Services confirmed that it was the intention to require the registration of a restrictive covenant prior to the issuance of any Building Permits.

Mr. Fjelstad questioned whether there was any proof that the persons residing in the accessory building are actually engaged in working on the farm.

- 895.05 MOVED BY COUNCILLOR HADDON
 SECONDED BY COUNCILLOR KING
 That the Memorandum dated May 20, 2005 from the Director of Planning and Building Services entitled "6500 Lochside Drive – Accessory Building Converted to Dwelling Unit" be received, and further consideration of any proposed remedial action in connection with the accessory building which has been converted to a dwelling unit on the property be deferred, and Staff be requested to provide a further update to Council on this file in two months time.
 CARRIED UNANIMOUSLY

RISE AND REPORT:

The Administrator, Mr. Gary C. Nason, briefly overviewed the major highlights of the "Temporary Secondary Suite Enforcement Policy" and the "Secondary Dwelling Enforcement Policy" which have recently been revised and enacted by Council. Mr. Nason advised that copies of the respective policies are available at the Municipal Hall.

PUBLIC INQUIRIES AND ANSWERS THERETO: None.

PRESENTATIONS/PETITIONS AND DELEGATIONS:

1. Carolwood Manor Summer Splash Foundation

The Administrator requested that this item be deleted from the Agenda as the letter writer was not in attendance due to illness.

2. Greater Victoria Public Library (GVPL) Re: Library Operating Agreement

The Administrator advised that this particular item had been referred from the June 20, 2005 Regular Council Meeting with the request that the Greater Victoria Public Library be invited to attend a future Council or Committee Meeting to provide a brief overview of the proposed Agreement and respond to questions.

Ms. Martha Anslow, Chair of the Board of the Greater Victoria Public Library, was in attendance at the Meeting and also introduced Ms. Janet Hawkins, Executive Assistant and Mr. Glynn Jones, Treasurer of the Greater Victoria Public Library.

Ms. Anslow then proceeded to give a brief power point presentation on the main provisions of the proposed new Library Operating Agreement. Ms. Anslow overviewed the recent study which was undertaken by KPMG Management Consultants on the overall issue of governance of the Greater Victoria Public Library, and discussed the consultation process leading up to the preparation of KPMG's report. The presentation highlighted the main conclusions of the KPMG Governance Study, and Ms. Anslow stated that enabling legislation from the Province will ultimately be required to establish a true inter-municipal library which is in fact what the Greater Victoria Public Library currently is. Ms. Anslow stated that there were a number of short-term recommendations arising from the Governance Study which recommended revisions to the Library Operating Agreement to reflect current practice. Some of the longer term recommendations from the Study will require legislative changes by the Province.

Ms. Anslow and Mr. Jones then responded to various questions from members of Council with respect to the Library Operating Agreement.

- 896.05 MOVED BY COUNCILLOR GRAHAM
 SECONDED BY COUNCILLOR KING
 That the presentation from the GVPL on the proposed new Library Operating Agreement be received for information, and consideration of approval of the Agreement be referred to an appropriate Committee Meeting in September 2005 for further discussion.
 CARRIED UNANIMOUSLY

CORRESPONDENCE (Action Required or Recommended):

1. E & D Scheuer Re: Saanichton Bay Erosion Control Project

- a) Correspondence dated June 24, 2005 from Eric and Darlene Scheuer Re: Saanichton Bay Erosion Control Project.

Mr. Eric Scheuer, 2641 Lancelot Place, was in attendance at the Meeting and indicated that he was in concurrence with the Staff recommendation with respect to his correspondence. Mr. Scheuer questioned when the proposed site meeting would take place, and the Administrator noted that the meeting would likely take place in late July or early August.

897.05

MOVED BY COUNCILLOR HADDON
SECONDED BY COUNCILLOR KING

That the correspondence be received and this matter be referred to Staff for arrangement of a site visit for the benefit of Council members to view the site and discuss the proposal with the letter writers and Staff, and this matter then be brought back to a future Council or Committee Meeting in August for further consideration and Council direction.

CARRIED UNANIMOUSLY

2. BC Transmission Corporation (BCTC) Re: Edge Tree/Blue Dot Program in Central Saanich

- a) Correspondence dated June 27, 2005 from Ray Read, Vegetation/Pest Biologist - B.C. Transmission Corporation Re: Hazard/Edge Tree Cutting and Removal of Under the Wire Vegetation on Two Transmission Circuits to the Sidney Substation.
- b) Late correspondence consisting of further documentation from the British Columbia Transmission Corporation outlining the proposed hazard, edge and under the wire tree removals in connection with the Edge Tree/Blue Dot Program in Central Saanich.

Mr. Ray Read, Vegetation/Pest Biologist, Vancouver Island, BC Transmission Corporation, was in attendance at the Meeting and spoke briefly to his correspondence. Mr. Read advised that there is a need to carry out certain elements of the proposed program in July. Mr. Read stated that the work to be undertaken in July will be mainly to address trees currently located under power lines, on road reserves or located on or bordering private property. Mr. Read stated that there are approximately 127 trees which are located mainly under power lines which in most cases will require removal. Most of these trees are between five and twenty centimetres in diameter. Mr. Read stated that in all cases the private property owners have agreed to the proposed tree removals and that work on the road reserves will commence in July. It is the intention of the BC Transmission Corporation to undertake the work in Centennial Park commencing in September, and Mr. Read agreed that BCTC will make a presentation to Committee in September prior to the commencement of the work. Mr. Read stated that it is also the intention of BCTC to enter into a Regreening program with Central Saanich as there is a commitment on the part of the Corporation to engage in active tree replanting where tree removals have taken place.

Mr. Read then responded to various questions from members of Council. In response to a question Mr. Read indicated that it is always the preference of BCTC to undertake limbing of trees where that is possible, at it is definitely the preference of the Corporation to remove as few trees as possible.

Members of Council requested that BCTC revisit the scope of the proposed tree replacement program and the size of the trees which would be proposed for replanting, as many of the trees in Central Saanich that are proposed for removal are of a relatively significant size. Members of Council also requested that BCTC establish a main contact or point person for this particular program who would be available for referral of calls and responding to questions from members of the public. Council also requested that BCTC undertake some form of media advertisement or public notice process before proceeding with the work in Centennial

Park as well as place appropriate signage on the site alerting the public to the impending tree removals.

- 898.05 MOVED BY COUNCILLOR HADDON
 SECONDED BY COUNCILLOR GRAHAM
 That the information contained in the correspondence, particularly as it pertains to the proposed work to be undertaken commencing in July 2005 be received for information, and Council reaffirm the previous request that BCTC provide a presentation at a future Committee Meeting in September on the portion of the program as it relates to the proposed tree removal and replanting in Centennial Park.
 CARRIED UNANIMOUSLY

3. District of North Saanich Re: Official Community Plan (OCP) Review/Update

- a) Correspondence dated June 20, 2005 from Sandy Bowden, Director of Corporate Services - District of North Saanich Re: District of North Saanich Official Community Plan (OCP) Review.

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

- 899.05 MOVED BY COUNCILLOR HADDON
 SECONDED BY COUNCILLOR GRAHAM
 That the correspondence and attached draft Official Community Plan document be received and the materials be referred to Staff for appropriate perusal and review, and Staff be authorized to submit directly to the District of North Saanich any comments or concerns as considered necessary or appropriate, with Council to be kept apprised of any comments that are forwarded to the District of North Saanich and this matter be brought back to Council for further discussion if warranted.
 CARRIED UNANIMOUSLY

4. A Bryson Re: Brentwood Bay Traffic Corridor Revitalization Project Funding Options

- a) Correspondence dated June 22, 2005 from Alastair Bryson, 1239 Mt. Newton Cross Road Re: Brentwood Bay Traffic Corridor Revitalization Project Funding Options.

Dr. Alastair Bryson, 1239 Mt. Newton Cross Road, was in attendance at the Meeting and spoke briefly to his correspondence. Dr. Bryson indicated that in his opinion there should have been adequate public consultation before Council made a decision with respect to financing of the Brentwood Bay Traffic Corridor Revitalization Project. Dr. Bryson noted that the project will derive relatively significant benefits to the adjacent property owners and in his opinion there is a need to balance that benefit with an appropriate local improvement levy to recover at least a portion of the project costs directly from the benefiting property owners. Dr. Bryson said that he was expecting that the matter would be merely received by Council at its last Meeting and referred to an appropriate Administration and Finance Committee Meeting for further discussion. Dr. Bryson concluded his remarks by stating that it would have been more appropriate for the public to be consulted before acting on the major recommendations in the Finance Director's report.

The correspondence was received for information without a motion.

5. C Lebel Re: Central Saanich Horse Owners Association – Request for Equestrian Facility

- a) Correspondence dated June 22, 2005 from Cindy J. Lebel, 9511 Maryland Drive Re: Central Saanich Horse Owners Association – Request for Equestrian Facility

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

The correspondence was received for information without a motion.

6. Peninsula Soccer Association Re: Alexander Field Improvement Project

- a) Correspondence dated June 24, 2005 from Dave Erb, President – Peninsula Soccer Association Re: Alexander Field Improvement Project

Mr. Dave Erb, President of the Peninsula Soccer Association, was in attendance at the Meeting and spoke briefly to the contents of his correspondence. Mr. Erb confirmed that the Association does not wish to proceed with the Alexander Field Improvement Project this year, however is still committed to the project proceeding at some future date. Mr. Erb commended Council for proceeding with the Centennial Park Master Plan process and reiterated that the Alexander Field Improvement Project has not been abandoned, and will be revisited upon completion of the Master Plan process.

The correspondence was received for information without a motion.

7. Panorama Recreation Re: Joint Infrastructure Grant Submission/Regional Bid for 2008 Senior Games

- a) Correspondence dated June 28, 2005 from Thomas C. (Tim) Chad, Chair – Panorama Recreation Re: Joint Infrastructure Grant Submission/Regional Bid for 2008 Senior Games

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

- 900.05 MOVED BY COUNCILLOR KING
 SECONDED BY COUNCILLOR GRAHAM
That the correspondence be received and Council support the participation of the District of Central Saanich in the submission of a regional bid to host the 2008 B.C. Seniors' Games in the Capital Region.
 CARRIED UNANIMOUSLY
- 901.05 MOVED BY COUNCILLOR HADDON
 SECONDED BY COUNCILLOR KING
That the District of Central Saanich not support the submission of a joint tri-municipal (Sidney, North Saanich, Central Saanich) application for infrastructure grant funding for the Panorama Recreation facility upgrading project.
- 902.05 MOVED BY COUNCILLOR HADDON
 SECONDED BY COUNCILLOR KING
That consideration of the foregoing motion be postponed pending receipt of a response from the Peninsula Recreation Commission on the following motion.
 CARRIED UNANIMOUSLY
- 903.05 MOVED BY COUNCILLOR GRAHAM
 SECONDED BY COUNCILLOR HADDON
That prior to Council's consideration of the request of the Peninsula Recreation Commission to support a proposed joint tri-municipal submission of an infrastructure grant application for the Panorama Recreation facility upgrading project, the Commission be requested to provide further information on the following:
- a) *The scope and estimated financial cost of the proposed project;*
 - b) *Whether it would be the intention of both North Saanich and Sidney to proceed on their own with the proposed project in the event that Central Saanich is not prepared to support the project or endorse the submission of an infrastructure grant application, with all costs for the project to be borne solely by North Saanich and Sidney; and*
 - c) *Whether it is envisioned that there would be any potential changes to Central Saanich's membership status at the Commission table and/or ramifications to the citizens of Central Saanich were the project to proceed solely as a two municipality (North Saanich and Sidney) project.*

CARRIED UNANIMOUSLY

8. J Senyk Re: Secondary Suites

- a) Correspondence dated July 4, 2005 from Mr. John Senyk, 2277 Lynne Lane Re: Secondary Suites.

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

The correspondence was received for information without a motion.

REPORTS OF COMMITTEES:

Standing Committees:

Planning & Development Committee – June 27, 2005

- 904.05 MOVED BY COUNCILLOR HADDON
 SECONDED BY COUNCILLOR GRAHAM
That the Minutes of the Planning & Development Committee Meeting held on June 27, 2005 be adopted as circulated.
 CARRIED UNANIMOUSLY
- 1. Proposed Rezoning to a New Comprehensive Development Zone and Issuance of a Development Permit and Development Variance Permit for a 26 Unit Multi-Family Residential Building with Commercial Space, 7088 West Saanich Road**
- 905.05 MOVED BY COUNCILLOR HADDON
 SECONDED BY COUNCILLOR GRAHAM
That the Staff Memorandum dated June 22, 2005 from the Director of Planning & Building Services entitled "Proposed Rezoning to a New Comprehensive Development Zone and Issuance of a Development Permit and Development Variance Permit for a 26 Unit Multi-Family Residential Building with Commercial Space, 7088 West Saanich Road" be received, and Staff be instructed to proceed with the preparation of the necessary Land Use Bylaw amendment for the property located at 7088 West Saanich Road to change the land use designation from the Service Station Commercial (C-4) Zone to a new Comprehensive Development 2 (CD-2) Zone.
 CARRIED
 OPPOSED: COUNCILLOR KING
- 906.05 MOVED BY COUNCILLOR HADDON
 SECONDED BY COUNCILLOR GRAHAM
That:
1. *The Land Use Bylaw Amendment Bylaw prepared pursuant to the foregoing motion be referred to Council for consideration of the necessary readings at a future Special (Open) Council Meeting;*
 2. *Council propose to consider the issuance of Development Variance Permit to vary:*
 - a) *the setback requirement of off-street parking from not less than 2.5 m to 1.2 m from any lot line;*
 - b) *the number of required parking stalls from 71 spaces to 64 spaces; and*
 - c) *the number of small car spaces proposed (exceeds bylaw allowance by two spaces);*
 3. *Staff be instructed to undertake the statutory notification procedures;*
 4. *The Land Use Bylaw Amendment Bylaw be referred to a Public Hearing at an appropriate date to be confirmed by Council;*

5. Council indicate to the applicant any further comments or suggested changes for the proposed design including lighting and possible security features for the corridor of the project, and possible land dedication for possible future construction of the West Saanich Road/Wallace Drive roundabout; and
6. Council then consider the issuance of a Development Variance Permit and Development Permit 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 improvements to the Wallace Drive and West Saanich Road intersection;
 - c) Building is to be sprinklered;
 - d) A fire hydrant shall be installed at the cost of the developer within 45 meters of the fire stand-pipe connection;
 - e) The Fire Department requests that at the cost of the developer a road traffic sonic be installed at the intersection of Wallace Drive and West Saanich Road;
 - f) An oil and grit interceptor is to be installed for the surface parking lot, and permeable options for this area are to be incorporated in to the landscape plan;
 - g) No free-standing sign(s) to be allowed; and
 - h) A restrictive covenant to be registered on the property restricting the development to that as shown on the approved Development Permit.

CARRIED UNANIMOUSLY

907.05 MOVED BY COUNCILLOR HADDON
 SECONDED BY COUNCILLOR KING
That Staff be requested to discuss with the applicant the various concerns raised at the Meeting particularly in regards to the design of the proposed breezeway/pedestrian corridor between the two main structures, and the potential for security and nuisance problems to arise as a result of this design, and consider appropriate mitigation measures or redesign as required.
CARRIED UNANIMOUSLY

908.05 MOVED BY COUNCILLOR HADDON
 SECONDED BY COUNCILLOR GRAHAM
That the Public Hearing for this particular application be held on Monday, August 15, 2005 at a time to be determined, with the Bylaw to be referred to the first available Council Meeting in September for consideration of further readings.
CARRIED UNANIMOUSLY

909.05 MOVED BY COUNCILLOR HADDON
 SECONDED BY COUNCILLOR GRAHAM
That Staff be requested to undertake an appropriate assessment of the health and condition of the London Plane trees which are proposed for removal along the portion of West Saanich Road fronting the proposed development, including an assessment of the current impacts of the trees on the underground utilities and infrastructure in this location.
CARRIED UNANIMOUSLY

910.05 MOVED BY COUNCILLOR HADDON
 SECONDED BY COUNCILLOR GRAHAM
That Staff be requested to explore and provide further information in regards to the District's authority to limit or restrict the business hours of operation of the commercial establishments proposed for this development.
CARRIED UNANIMOUSLY

- 911.05 MOVED BY COUNCILLOR HADDON
 SECONDED BY COUNCILLOR KING
That Staff be requested to provide information and/or advice on the District's authority to limit or prohibit any regulations that a Strata Council may wish to put into place to attempt to restrict residency in the development to adults only (no children).
 CARRIED UNANIMOUSLY
- 912.05 MOVED BY COUNCILLOR HADDON
 SECONDED BY COUNCILLOR KING
That at the Public Hearing for this particular rezoning application Staff be requested to provide further information in regards to the nature and extent of property that would be required for right-of-way dedication to accommodate the possible future construction of the Wallace Drive/West Saanich Road roundabout adjacent to this proposed development.
 CARRIED UNANIMOUSLY
- 913.05 MOVED BY COUNCILLOR HADDON
 SECONDED BY COUNCILLOR KING
That Staff be requested to discuss with the Applicant the potential for dedication or reservation of a specified number of housing units within the proposed development for the purposes of subsidized housing, in particular with an appropriate external agency or housing corporation.
 CARRIED UNANIMOUSLY
- 914.05 MOVED BY COUNCILLOR HADDON
 SECONDED BY COUNCILLOR GRAHAM
That Staff be requested to discuss with the Applicant the potential for constructing a joint vehicular access to the site in partnership with the property located immediately to the southeast at 7080 West Saanich Road.
 CARRIED UNANIMOUSLY

2. Secondary Suites

- 915.05 MOVED BY COUNCILLOR HADDON
 SECONDED BY COUNCILLOR GRAHAM
That for the purposes of Council's further assessment of the potential impacts of the legalization of secondary suites within the community, Staff be requested to undertake an analysis of several random sample small block residential neighbourhoods across the community in order to demonstrate the impact were secondary suites to be permitted for the two potential minimum lot size thresholds of 660 sq. m. and 780 sq. m.
 CARRIED UNANIMOUSLY
- 916.05 MOVED BY COUNCILLOR HADDON
 SECONDED BY COUNCILLOR GRAHAM
That for the purposes of Council's further assessment of the potential impacts of the legalization of secondary suites within the community, Staff be further requested to prepare a visual analysis of the buildable area and additional onsite parking area that would be required were secondary suites to be permitted for the two potential minimum lot size thresholds of 660 sq. m. and 780 sq. m.
 CARRIED UNANIMOUSLY
- 917.05 MOVED BY COUNCILLOR HADDON
 SECONDED BY COUNCILLOR KING
That a Town Hall Meeting be conducted in September 2005 for the exclusive purposes of holding a further community discussion on issues surrounding the potential legalization of secondary suites in the community, and at the Town Hall Meeting Staff be requested to make a presentation on Building Code requirements as they relate to the approval of secondary suites in single family residences.
 CARRIED UNANIMOUSLY

918.05 MOVED BY COUNCILLOR HADDON
 SECONDED BY COUNCILLOR KING
That for the purposes of presenting to the community at the afore-noted Town Hall Meeting a more definitive proposal for further discussion and refinement, Council endorse in principle the following regulatory options for allowing secondary suites:

- *No potential for secondary suites to be allowed in accessory buildings;*
- *No potential for the relaxation of the minimum lot size;*
- *No potential for the maximum suite size to be relaxed;*
- *Additional on-site parking space to be provided in connection with the secondary suite;*
- *Principal dwelling or suite must be owner-occupied;*
- *No restrictions to be placed on the number of people living in the suite;*
- *No restrictions to be placed on the secondary suites for use by family members only.*

CARRIED UNANIMOUSLY

Councillor Graham requested that it be noted in the Minutes that he is uncomfortable in regards to regulating secondary suites through minimum lot size thresholds, but does concur with the need to provide additional onsite parking space in connection with the legalization of secondary suites.

919.05 MOVED BY COUNCILLOR HADDON
 SECONDED BY COUNCILLOR KING
That Staff be requested to consider the implications of permitting secondary suites in single family residential stratas, panhandle lots, and cul-de-sacs throughout the community, and undertake further analysis in this regard as may be required.

CARRIED UNANIMOUSLY

920.05 MOVED BY COUNCILLOR HADDON
 SECONDED BY COUNCILLOR GRAHAM
That the British Columbia Assessment Authority be requested to provide information in regards to how it determines the incremental assessed value of a principal dwelling in those instances where a legalized secondary suite has been constructed in the dwelling.

CARRIED UNANIMOUSLY

3. Capital Region Food and Agriculture Initiatives Roundtable Re: Draft Proposed Capital Region Food Charter

921.05 MOVED BY COUNCILLOR HADDON
 SECONDED BY COUNCILLOR GRAHAM
That the "Capital Region Food Charter" draft proposal which was presented by the Capital Region Food and Agriculture Initiatives Round Table at the June 13, 2005 Committee Meeting be endorsed in principle.

CARRIED UNANIMOUSLY

Water & Waste Management Committee – June 27, 2005

922.05 MOVED BY COUNCILLOR GRAHAM
 SECONDED BY COUNCILLOR KING
That the Minutes of the Water & Waste Management Committee Meeting held on June 27, 2005 be adopted as circulated.

CARRIED UNANIMOUSLY

1. Spring Review 2005 – Expansion of Sewer Collection Area No. 1

923.05 MOVED BY COUNCILLOR GRAHAM
 SECONDED BY COUNCILLOR KING
That the Staff Memorandum dated June 6, 2005 dated June 6, 2005 entitled "Spring Review 2005 – Expansion of Sewer Collection Area No. 1" be received, and Staff be instructed to prepare the necessary Sewer Inclusion Bylaw to include the property located at 6459 Pat Bay Highway in the District's Sewer Collection Area No. 1, and the Bylaw be referred to the next Special (Open) Council Meeting for consideration of the necessary readings.

CARRIED UNANIMOUSLY

Advisory Committees: None

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

1. **Capital Regional District (CRD)** – Mayor Habkirk advised that she will not be in a position to attend either of the two July 2005 Meetings of the Capital Regional District Board and requested that if at all possible Councillor Graham attend one of those Meetings on her behalf. It was requested that Staff forward the agenda packages for the July Regional Board Meetings to Councillor Graham.
2. **Parks Projects** – Councillor Haddon gave a brief update on the current status of the following parks projects:
 - a) Saanichton Green Improvement Project (Phase II)
 - New swings have been installed and the children’s play area re-opened;
 - Awaiting shipment of light bollards for the Simpson Road pathway;
 - Newly seeded areas surrounding the play area.
 - b) Film Production within Centennial Park
 - On-site filming of the production entitled “Neal and Nikki” undertaken on Thursday, June 30, 2005 within Centennial Park;
 - Use of Diamond #1, Shelter #3 and shower/change rooms within the Fieldhouse;
 - Although a few adult actors were involved with the scenes shot on-site, most of the main actors and extras were children under the age of 10;
 - Representatives of Oakridge Productions expressed their appreciation to the District for the use of Centennial Park and indicated they were very pleased with this film location and the community support for filming.

Councillor Graham advised of an upcoming meeting of the Juan de Fuca Land Use Committee of the Capital Regional District.

Councillor King advised of the recent election of the new Band Council for the Tsawout First Nation.

924.05 MOVED BY COUNCILLOR KING
 SECONDED BY COUNCILLOR HADDON
 That an appropriate letter be forwarded to the Tsawout First Nation Band Council congratulating the new Council on its recent election, and extending best wishes for its future endeavours.
 CARRIED UNANIMOUSLY

Mayor Habkirk advised of her recent attendance at a graduation ceremony for new police recruits which was held at the Victoria Armoury, as well as her attendance at the recent Stelly’s Secondary School Awards Ceremony.

STAFF MEMORANDUM AND REPORTS:

1. Recommended Notices on Title:

a) 6925 Central Saanich Road – Suite Constructed Without Permits

1. Staff Memorandum dated May 4, 2005 from Roy Thomassen, Chief Building Inspector Re: 6925 Central Saanich Road – Suite Constructed Without Permits;
2. Late correspondence from Richard and Beryl Wall, 6925 Central Saanich Road Re: 6925 Central Saanich Road – Suite Constructed Without Permits.

The Building Inspector, Mr. Roy Thomassen, overviewed the Staff Memorandum in regards to the Recommended Notice on Title for property located at 6925 Central Saanich Road (Suite Constructed Without Permits) and responded to questions from members of Council.

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

925.05

MOVED BY COUNCILLOR GRAHAM
SECONDED BY COUNCILLOR KING

That the Memorandum dated May 4, 2005 from the Chief Building Inspector entitled "Notice on Title – 6925 Central Saanich Road (Suite Constructed Without Permits)", be received, together with the late correspondence from R and B Wall, 6925 Central Saanich Road dated June 30, 2005, and;

- 1. the District of Central Saanich Municipal Clerk file a notice in the Victoria Land Title Office stating that a resolution has been made under Section 57 of the Community Charter relating to the property legally described as Strata Lot B, Section 12, Range 4 East, South Saanich District, Strata Plan VIS3593, Together With an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form 1, PID 023-012-838, having a civic address of 6925 Central Saanich Road, and that further information respecting the resolution may be inspected at the office of the Municipal Building Inspection Division during regular office hours; and*
- 2. this matter be brought back to a future Council Meeting if required after the secondary suite review for the District has been completed.*

CARRIED UNANIMOUSLY

b) 7219 Meadowlark Lane – Suite Constructed Without Permits

1. Staff Memorandum dated May 4, 2004 from Roy Thomassen, Chief Building Inspector Re: 7219 Meadowlark Lane – Suite Constructed Without Permits.

The Building Inspector, Mr. Roy Thomassen, overviewed the Staff Memorandum in regards to the Recommended Notice on Title for property located at 7219 Meadowlark Lane (Suite Constructed Without Permits) and responded to questions from members of Council.

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

926.05

MOVED BY COUNCILLOR GRAHAM
SECONDED BY COUNCILLOR KING

That the Memorandum dated May 4, 2005 from the Chief Building Inspector entitled "Notice on Title – 7219 Meadowlark Lane (Suite Constructed Without Permits)" be received, and;

- 1. the District of Central Saanich Municipal Clerk file a notice in the Victoria Land Title Office stating that a resolution has been made under Section 57 of the Community Charter relating to the property legally described as Lot 6, Section 10, Range 1 West, South Saanich District, Plan 26513 PID 002-791-633, having a civic address of 7219 Meadowlark Lane, and that further information respecting the resolution may be inspected at the office of the Municipal Building Inspection Division during regular office hours; and*
- 2. this matter be brought back to a future Council Meeting if required after the secondary suite review for the District has been completed.*

CARRIED UNANIMOUSLY

c) 1084 Lucille Drive – Suite Constructed Without Permits

1. Staff Memorandum dated May 4, 2004 from Roy Thomassen, Chief Building Inspector Re: 1084 Lucille Drive – Suite Constructed Without Permits.

The Building Inspector, Mr. Roy Thomassen, overviewed the Staff Memorandum in regards to the Recommended Notice on Title for property located at 1084 Lucille Drive (Suite Constructed Without Permits) and responded to questions from members of Council.

Mr. Christopher Jon Zatylny, 1084 Lucille Drive, was in attendance at the Meeting and requested additional time for him to consult with his Solicitor in regards to

this particular matter. Mr. Zatylny stated that a deferment would be appreciated as he purchased the property and became aware of this issue only very recently.

Mr. Thomassen responded to various questions from members of Council with respect to this file and overviewed the process for registration and de-registration of Section 57 Notices on Title.

927.05 MOVED BY COUNCILLOR GRAHAM
 SECONDED BY COUNCILLOR KING
That the Memorandum dated May 4, 2005 from the Chief Building Inspector entitled "Notice on Title – 1084 Lucille Drive (Suite Constructed Without Permits)" be received, and;

1. *the District of Central Saanich Municipal Clerk file a notice in the Victoria Land Title Office stating that a resolution has been made under Section 57 of the Community Charter relating to the property legally described as Lot A, Section 11, Range 1 West, South Saanich District, Plan VIP73829, PID 025-429-442, having a civic address of 1084 Lucille Drive, and that further information respecting the resolution may be inspected at the office of the Municipal Building Inspection Division during regular office hours; and*
2. *this matter be brought back to a future Council Meeting if required after the secondary suite review for the District has been completed.*

CARRIED UNANIMOUSLY

2. Annual Municipal Report for the Year Ended December 31st, 2004

- a) Staff Memorandum dated May 9, 2005 from Ed Sykora, Director of Financial Services Re: Annual Municipal Report for the Year Ended December 31, 2004;
- b) A copy of the complete Annual Municipal Report document was available for viewing in the Committee Room.

The Director of Financial Services, Mr. Ed Sykora, overviewed the contents of the Memorandum and responded to questions from members of Council.

928.05 MOVED BY COUNCILLOR HADDON
 SECONDED BY COUNCILLOR GRAHAM
That the Memorandum dated May 9, 2005 from the Director of Financial Services entitled "Annual Municipal Report for the Year Ended December 31st, 2004", together with the document entitled "Corporation of the District of Central Saanich – 2004 Annual Report" be received, and the Annual Report be made available for public inspection during regular business hours.
CARRIED UNANIMOUSLY

929.05 MOVED BY COUNCILLOR GRAHAM
 SECONDED BY COUNCILLOR KING
That Council approve the District's 2004 Audited Financial Statements and related information schedules produced under both the Community Charter and the Financial Information Act as included in the Annual Report.
CARRIED UNANIMOUSLY

The Director of Financial Services, Mr. Ed Sykora, noted that the Annual Municipal Report document is available for viewing at the local library branch as well as on the District's website.

3. Request for Amendment of Covenant, Strata Lot 1, 6797 Greig Court

- a) Staff Memorandum dated June 27, 2005 from Ms. Hope V. Burns, Director of Planning & Building Services Re: Request for Amendment of Covenant, Strata Lot 1, 6797 Greig Court;
- b) Late correspondence from J Shewchuk, Vice-President, Greig Court Strata Council, dated June 30, 2005 Re: Application for Variance – 6797 Greig Court.

The Director of Planning & Building Services, Ms. Hope V. Burns, overviewed the contents of the Staff Memorandum and responded to questions from members of Council.

The property owner, Ms. Deborah Bowman, was in attendance at the Meeting and advised that she had no further comments to add in regards to the contents or recommendations as contained in the Staff Memorandum.

930.05 MOVED BY COUNCILLOR GRAHAM
 SECONDED BY COUNCILLOR KING
That the Memorandum dated June 27, 2005 from the Director of Planning and Building Services entitled "Request for Amendment of Covenant, Strata Lot 1, 6797 Greig Court" be received, and:

1. *Council authorize the amendment of the Section 219 Covenant for Strata Lot 1, Greig Court, to allow an increase in the allowable lot coverage to a maximum of 175 sq. m. with all legal costs to be borne by the applicant; and*
2. *to the extent possible and/or legally permissible, Staff be requested to include appropriate provisions either in the Covenant or in companion documentation to ensure the ongoing protection and retention of the existing Garry Oak tree in the front yard of the subject property.*

CARRIED UNANIMOUSLY

BYLAWS:

1. **"Central Saanich Official Community Plan Bylaw Amendment Bylaw No. 1528, 2005" [To Include a Regional Context Statement in the OCP]**

931.05 MOVED BY COUNCILLOR GRAHAM
 SECONDED BY COUNCILLOR KING
That "Central Saanich Official Community Plan Bylaw Amendment Bylaw No. 1528, 2005", be amended at second reading as follows:

- a) *To amend the word "ecological" where it appears in Section 4 (Manage Natural Resources and the Environment Sustainability) of the Bylaw to read "ecologically"; and*
- b) *By amending the words "pedestrian path" where they appear in Section 7 (Increasing Transportation Choice) of the Bylaw to read "pedestrian paths".*

CARRIED UNANIMOUSLY

932.05 MOVED BY COUNCILLOR GRAHAM
 SECONDED BY COUNCILLOR KING
That "Central Saanich Official Community Plan Bylaw Amendment Bylaw No. 1528, 2005", pass third reading as amended.
CARRIED UNANIMOUSLY

2. **"Central Saanich Sewer Extension Bylaw Amendment Bylaw No. 1529, 2005" [A Bylaw to Amend Bylaw No. 322, being a Bylaw to provide for the Establishment of a Specified Area for a Sewage Collection System and to Authorize for a Borrowing for the Estimated Costs Thereof.]**

933.05 MOVED BY COUNCILLOR GRAHAM
 SECONDED BY COUNCILLOR KING
That Bylaw No. 1529, cited as "Central Saanich Sewer Extension Bylaw Amendment Bylaw No. 1529, 2005" [A Bylaw to Amend Bylaw No. 322, being a Bylaw to provide for the Establishment of a Specified Area for a Sewage Collection System and to Authorize for a Borrowing for the Estimated Costs Thereof] be authorized to receive three readings at the same meeting.
CARRIED UNANIMOUSLY

- 934.05 MOVED BY COUNCILLOR GRAHAM
 SECONDED BY COUNCILLOR KING
That Bylaw No. 1529, cited as "Central Saanich Sewer Extension Bylaw Amendment Bylaw No. 1529, 2005" be given first reading.
 CARRIED UNANIMOUSLY
- 935.05 MOVED BY COUNCILLOR GRAHAM
 SECONDED BY COUNCILLOR KING
That Bylaw No. 1529 be given second reading.
 CARRIED UNANIMOUSLY
- 936.05 MOVED BY COUNCILLOR GRAHAM
 SECONDED BY COUNCILLOR KING
That Bylaw No. 1529 be given third reading.
 CARRIED UNANIMOUSLY

CORRESPONDENCE (Receive for General Information):

1. **The Nature Trust of British Columbia Re: 2004 Annual Report** – Correspondence dated June 2005 from Don Krogseth, Chairman, 2004-2005 Re: 2004 Annual Report;
 2. **BC Progress Board Re: 2005 Interim Benchmarking Report** - Correspondence dated June 8, 2005 from Tim McEwan, Executive Director, BC Progress Board Re: 2005 Interim Benchmarking Report;
 3. **Correspondence from the Union of BC Municipalities:**
 - a) Correspondence dated June 14, 2005 Addressed to Municipal Clerk Re: 2005 Resolutions;
 - b) In The House: New Cabinet Announced – Six New Members and Significant Restructuring, June 22, 2005;
 4. **Ministry of Public Safety and Solicitor General Re: Earthquake and Tsunami Smart Manual** – Correspondence dated June 15, 2005 from R J (Bob) Bugslag, Executive Director, Ministry of Public Safety and Solicitor General Re: Earthquake and Tsunami Smart Manual;
 5. **Beacon Community Services Re: Change of Name (formerly "Peninsula Community Services")** – Correspondence dated June 15, 2005 from Isobel Mackenzie, Executive Director, Beacon Community Services Re: Change of Name (formerly "Peninsula Community Services");
 6. **Capital Regional District Re: 2004 Annual Report for CRD Regional Planning Services Department** – Correspondence dated June 20, 2005 from Mark Hornell, Director , Regional Planning Services, CRD Re: 2005 Annual Report for CRD Regional Planning Services Department;
 7. **B Ritchie Re: BC Hydro Issues** – Email correspondence dated June 20, 2005 from Bob Ritchie Re: BC Hydro Issues;
 8. **BC Transit Re: Rapid Transit Network Development Plan for the Victoria Region** - Email correspondence dated June 23, 2005 from Mike Davis, Manager, Planning and Scheduling, BC Transit Re: Rapid Bus Development Plan;
- 937.05 MOVED BY COUNCILLOR HADDON
 SECONDED BY COUNCILLOR KING
That the correspondence be received, and BC Transit be invited to attend an appropriate future Committee Meeting for the purposes of making an informational presentation on the document entitled "Rapid Transit Network Development Plan for the Victoria Region".
 CARRIED UNANIMOUSLY
- 938.05 MOVED BY COUNCILLOR KING
 SECONDED BY COUNCILLOR HADDON
That both Mr. Stephen Moyse and Mr. David Wilson be invited to attend the Committee Meeting when BC Transit makes its presentation on the Rapid Transit Network Development Plan document.
 CARRIED UNANIMOUSLY

9. City of Burnaby Re: Exclusion of Lands from Agricultural Land Reserve –
Correspondence dated June 14, 2005 from Derek R. Corrigan, Mayor, City of Burnaby
Re: Agricultural Land Reserve Item No. 01, Manager's Report, 2005 June 13;

939.05 MOVED BY COUNCILLOR HADDON
 SECONDED BY COUNCILLOR KING
That the correspondence be received and a letter be written to the Agricultural Land Commission advising of Central Saanich Council's support for the position taken by the City of Burnaby that the Agricultural Land Commission be requested to prepare and make available a complete and accurate set of statistics on changes in the size of the Agricultural Land Reserve compiled by calendar year for the Province, each panel area, Regional District and Municipality, with a copy of the correspondence to be forwarded to the local MLA.
CARRIED UNANIMOUSLY

940.05 MOVED BY COUNCILLOR HADDON
 SECONDED BY COUNCILLOR KING
That a separate letter be forwarded to the City of Burnaby requesting whether it would be prepared to convene a meeting of similarly interested municipalities to discuss this issue further at the upcoming Union of BC Municipalities Annual Convention.
CARRIED UNANIMOUSLY

10. Peninsula Recreation Commission – Minutes of the Commission Meeting held on April 28, 2005;

11. Capital Regional District – Minutes of the CRD Board and Hospital Board Meetings held on June 22, 2005;

ADJOURNMENT:

On motion, the Special (Open) Council Meeting held on July 4, 2005 adjourned at 9:08 pm.

Allison Habkirk
Mayor

Gary C. Nason
Administrator

Recorded by: Gary C. Nason
Administrator