

THE CORPORATION OF THE DISTRICT OF CENTRAL SAANICH

Minutes of the **REGULAR COUNCIL** Meeting  
Monday, June 20, 2005 at 7:00 pm  
Central Saanich Municipal Council Chamber

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**PRESENT:** Mayor Allison Habkirk  
Councillors: Graham, Haddon, King, Korol, Mason and Thompson  
Gary C. Nason, Administrator  
Trish Flanders, Municipal Clerk  
Hope V. Burns, Director of Planning & Building Services  
Nirmal Bhattacharya, Municipal Engineer  
Ed Sykora, Director of Financial Services

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**APPROVAL OF THE AGENDA:**

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

- Correspondence Pertaining to the Central Saanich Horse Owners Association's Request for an Equestrian Riding Facility, to be included with Item 1 under Section 7 – Correspondence (Action Required or Recommended):
  - a) Cindy J. Lebel, 9511 Maryland Drive, June 15, 2005;
  - b) Ken Travis, North and South Saanich Agricultural Society, June 15, 2005;
- Correspondence from Jakob De Villiers Re: 752 Sea Drive, to be included with Item 1(b) under Section 9 – Staff Memoranda and Reports;
- Correspondence from John Cochran and Elizabeth Dunn Re: ALC Application for Additional Dwelling Units – Oldfield Orchards (6286 Oldfield Road), to be included with Item 2 under Section 9 – Staff Memoranda and Reports;
- Correspondence from Jerry Mussio Re: ALC Application for Additional Dwelling Units – Oldfield Orchards (6286 Oldfield Road), to be included with Item 2 under Section 9 – Staff Memoranda and Reports;
- Revised Drawings Re: Development Permit Application – 6680 Mirah Road, to be included with Item 3(a) under Section 9 – Staff Memoranda and Reports;
- Correspondence from Sidney Anglers Association – Temporary Use of Saanichton Dock for Salmon Smolt Rearing Pen, to be included as Item 7 under Section 9 – Staff Memoranda and Reports;

802.05            MOVED BY COUNCILLOR KING  
                      SECONDED BY COUNCILLOR MASON  
                      *That the Agenda for the Regular Council Meeting held on June 20, 2005 be approved as amended.*  
                      CARRIED UNANIMOUSLY

**OPENING REMARKS:**

The Administrator advised that, pursuant to the statutory requirements of the Community Charter, the Annual Municipal Report must be made available to the public by June 30<sup>th</sup>, 2005 and that the Report will be formally presented to Council at the July 4<sup>th</sup>, 2005 Regular Council Meeting.

**ADOPTION OF THE MINUTES:**

**Minutes of the Regular Council Meeting held on June 6, 2005**

803.05            MOVED BY COUNCILLOR GRAHAM  
                      SECONDED BY COUNCILLOR MASON  
                      *That the Minutes of the Regular Council Meeting held on June 6, 2005 be adopted as circulated.*  
                      CARRIED UNANIMOUSLY

**BUSINESS ARISING FROM THE MINUTES:**

Councillor Thompson made reference to the June 6<sup>th</sup>, 2005 Council Minutes and Dr. Boag's comments with respect to the Dawson Reservoir property and Oak Haven Park. Councillor Thompson advised that there may be drainage issues in this immediate area, and suggested that Dr. Boag speak with the Habitat Acquisition Trust and Planning Department Staff about this particular property.

**RISE AND REPORT:**

**1. Appointments to Board of Directors of Greater Victoria Labour Relations Association (GVLRA)**

Mayor Habkirk advised she has been appointed as Central Saanich's representative on the Board of Directors of the Greater Victoria Labour Relations Association, and that Councillor Michele Haddon has been appointed as the Alternate representative.

**PUBLIC INQUIRIES AND ANSWERS THERETO:** None.

**PRESENTATIONS/PETITIONS AND DELEGATIONS:**

**1. Donation of Painting – Presentation by Mrs. Marilyn Murray**

Mrs. Marilyn Murray, together with Councillor Susan Mason, presented to the District a watercolour painting entitled "Spring Tapestry". Councillor Mason advised Council, Staff and the public in attendance at the meeting that The Gallery recently presented Mrs. Murray with the "Artist of the Year" Award.

Mayor Habkirk recognized Mrs. Murray for her work and for her generous donation, and indicated that the artwork would be proudly displayed in the Municipal Hall.

**CORRESPONDENCE (Action Required or Recommended):**

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

- a) Correspondence dated June 7, 2005 from Martha Anslow, GVPL Board Chair and Nils Jensen, GVPL Library Operating Agreement Special Committee Re: GVPL Library Operating Agreement.

The Administrator gave a brief overview of the correspondence from the GVPL and recommended that representatives from GVPL be invited to make a presentation on the proposed Library Operating Agreement at an upcoming meeting.

804.05            MOVED BY COUNCILLOR GRAHAM  
                      SECONDED BY COUNCILLOR MASON  
                      *That the materials be received and the Greater Victoria Public Library be invited to make a presentation on the proposed revised Library Operating Agreement at an upcoming future Council or Committee Meeting.*  
                      CARRIED UNANIMOUSLY

**2. JE Anderson & Associates Re: Waterline Extension Request - Ridgedown Road**

- a) Correspondence dated June 7, 2005 from Danny Carrier, J.E. Anderson & Associates Re: Waterline Extension Request – Ridgedown Road.

Mr. Danny Carrier, J.E. Anderson & Associates, advised that he had no further comments to offer in regards to his correspondence.

805.05            MOVED BY COUNCILLOR GRAHAM  
                      SECONDED BY COUNCILLOR KOROL  
                      *That the correspondence be received and referred to Staff for review and recommendation.*  
                      CARRIED UNANIMOUSLY

**3. B & D Bowman Re: Request for Amendment of Covenant – 6797 Greig Court**

- a) Correspondence dated June 14, 2005 from Barry and Deborah Bowman, 6797 Greig Court Re: Request for Amendment of Covenant – 6797 Greig Court.

It was noted that the letter writers were not in attendance at the meeting to address their correspondence.

806.05            MOVED BY COUNCILLOR GRAHAM  
                      SECONDED BY COUNCILLOR MASON  
                      *That the correspondence be received and referred to Staff for review and recommendation.*  
                      CARRIED UNANIMOUSLY

**4. Peninsula Streams Re: Proposal for Water Quality Monitoring & Stream Stewardship Activities**

- a) Correspondence dated June 15, 2005 from Ian D. Bruce, Executive Coordinator – Peninsula Streams Re: Proposal for Water Quality Monitoring and Stream Stewardship Activities.

The letter writer was in attendance at the meeting and advised that he had no further comments to offer at this time.

The Administrator briefly overviewed the subject and confirmed that Staff is supportive of the proposal, and that an appropriate amount of funding has been allocated in the budget for this project.

807.05            MOVED BY COUNCILLOR KOROL  
                      SECONDED BY COUNCILLOR HADDON  
                      *That the correspondence be received and referred to the Chair of the Water & Waste Management Committee and the appropriate Staff with power to act.*  
                      CARRIED UNANIMOUSLY

**5. R Kelday Re: Intersection of East Saanich Road and Mt. Newton Cross Road**

- a) Email correspondence dated June 3, 2005 from Richard Kelday and Kyoko B. Mura, 952 Damelart Way Re: Intersection of East Saanich Road and Mt. Newton Cross Road.

Mr. Richard Kelday, 952 Damelart Way, was in attendance at the meeting and addressed his concerns with respect to pedestrian and traffic safety at the intersection of East Saanich Road and Mt. Newton Cross Road and the fact that eight lanes of traffic converge on this busy intersection. He also referred to the increased traffic at the intersection of Stelly's Cross Road and Wallace Drive, and questioned Council's position on addressing the traffic at these locations.

The Administrator advised that an amount of \$110,000 has been allocated in the Five Year Financial Plan for the year 2007 for the traffic signalization at the East Saanich Road/Mt. Newton Cross Road intersection.

808.05            MOVED BY COUNCILLOR HADDON  
                      SECONDED BY COUNCILLOR MASON  
                      *That the correspondence be received for information and the contents noted.*  
                      CARRIED UNANIMOUSLY

**6. Brentwood Bay Old School Hall Society Re: West Saanich School Restoration Project – Building Permit Fees**

- a) Correspondence dated June 3, 2005 from Sue Myerscough, President – Brentwood Bay Old School Hall Society Re: West Saanich School Restoration Project – Building Permit Fees.

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

Mr. Wayne Watkins, representing the Brentwood Bay Old School Hall Society, briefly addressed the Society's request that the District consider waiving all building permit and inspection fees for the West Saanich School Restoration Project.

- 809.05        MOVED BY COUNCILLOR MASON  
                  SECONDED BY COUNCILLOR HADDON  
                  *That the correspondence be received, and pursuant to Section 29 of the Community Charter, Council authorize the waiving of any required building permit and inspection fees for the West Saanich School Restoration Project.*  
                  CARRIED UNANIMOUSLY

**7. Correspondence Pertaining to 2005 Property Taxes and Other Issues**

- a) Email correspondence dated June 1, 2005 from John Senyk, 2277 Lynne Lane;
- b) Email correspondence dated June 3, 2005 from Frank Witthoeft, 2361 Tanner Ridge Place.

Mr. John Senyk, 2277 Lynne Lane, addressed the contents of his correspondence pertaining to property taxes, rental accommodations and secondary suites.

- 810.05        MOVED BY COUNCILLOR THOMPSON  
                  SECONDED BY COUNCILLOR MASON  
                  *That the correspondence from Mr. John Senyk dated June 1, 2005 be received, and the comments in the letter pertaining to the issue of the legalization of secondary suites be referred to the Secondary Suite Review Process and to the appropriate Committee Meeting when the forthcoming report from Staff on the recent Secondary Suite Open Houses is to be considered.*  
                  CARRIED UNANIMOUSLY

It was noted that Mr. Frank Witthoeft, 2361 Tanner Ridge Place, was not in attendance at the meeting to address his correspondence.

- 811.05        MOVED BY COUNCILLOR HADDON  
                  SECONDED BY COUNCILLOR GRAHAM  
                  *That the correspondence from Mr. Frank Witthoeft dated June 3, 2005 be received and the letter writer be advised that, with the exception of three discretionary questions related to recreational and cultural facilities, police services and traffic management, Council and Municipal Staff had no input into the wording of the questions which were contained in the recent IPSOS-Reid "Quality of Life and Financial Planning in Central Saanich" Survey.*  
                  CARRIED UNANIMOUSLY

**8. Peninsula Streams Re: Saanich Historical Artifacts Society and Sandhill Creek**

- a) Correspondence dated May 31, 2005 from Ian D. Bruce, Executive Coordinator – Peninsula Streams Re: Saanich Historical Artifacts Society and Sandhill Creek.

- 812.05        MOVED BY COUNCILLOR KOROL  
                  SECONDED BY COUNCILLOR HADDON  
                  *That the correspondence be received for information and the contents noted.*  
                  CARRIED UNANIMOUSLY

**9. Capital Region Emergency Services Telecommunications (CREST) Re: Independent Review of Operations**

- a) Correspondence dated June 13, 2005 from Ron Cullis, General Manager – CREST Re: Independent Review of Operations.

- 813.05        MOVED BY COUNCILLOR KOROL  
                  SECONDED BY COUNCILLOR GRAHAM  
                  *That the correspondence be received for information and the contents noted.*  
                  CARRIED UNANIMOUSLY

**10. Correspondence Pertaining to Central Saanich Horse Owners Association's Request for Equestrian Facility**

- a) Jill Yonge, 1600 White Road, June 14, 2005;
- b) Cindy J. Lebel, 9511 Maryland Drive, June 15, 2005;
- c) Ken Travis, North and South Saanich Agricultural Society, June 15, 2005.

It was noted that Ms. Jill Yonge, 1600 White Road, was not in attendance at the meeting to address her correspondence.

Ms. Cindy J. Lebel, 9511 Maryland Drive, advised that she had no further comments to offer at this time.

It was noted that Mr. Ken Travis, President of the North & South Saanich Agricultural Society, was not in attendance at the meeting to address his correspondence.

814.05            MOVED BY COUNCILLOR HADDON  
                      SECONDED BY COUNCILLOR MASON  
                      *That the correspondence be received for information and the contents noted.*  
                      CARRIED UNANIMOUSLY

**11. J Diemer Re: "Food Giant" Store Site and Pioneer Park**

- a) Email correspondence dated June 14, 2005 from Johan Diemer, 7173 Brentwood Drive Re: "Food Giant" Store Site and Pioneer Park.

It was noted that the letter writer was not in attendance at the meeting to address his correspondence.

815.05            MOVED BY COUNCILLOR THOMPSON  
                      SECONDED BY COUNCILLOR MASON  
                      *That the correspondence be received for information and the contents noted.*  
                      CARRIED UNANIMOUSLY

**REPORTS OF COMMITTEES:**

**Standing Committees:**

**Parks & Facilities Committee – June 13, 2005**

Councillor Haddon requested that the Minutes of the Parks & Facilities Committee Meeting held on June 13<sup>th</sup>, 2005 be amended to reflect that the Chair also thanked the representatives from the North & South Saanich Agricultural Society for attending the meeting.

816.05            MOVED BY COUNCILLOR HADDON  
                      SECONDED BY COUNCILLOR MASON  
                      *That the Minutes of the Parks & Facilities Committee Meeting held on June 13, 2005 be adopted as amended.*  
                      CARRIED UNANIMOUSLY

**1. Central Saanich Horse Owners Association – Request for Equestrian Facility**

817.05            MOVED BY COUNCILLOR HADDON  
                      SECONDED BY COUNCILLOR MASON  
                      *That the Central Saanich Horse Owners Association be requested to designate a maximum of two to three individuals to represent the Association in further discussions with the District in regards to issues related to maintenance of trails, equestrian facility planning, and possible further liaison and discussions with the North and South Saanich Agricultural Society on associated matters.*  
                      CARRIED UNANIMOUSLY

- 818.05            MOVED BY COUNCILLOR HADDON  
                      SECONDED BY COUNCILLOR KOROL  
*That the Chair of the Parks and Facilities Committee and the Mayor be requested to initiate a process of discussion with the Board of Directors of the North and South Saanich Agricultural Society related to some of the issues and concerns which have been raised by the various letter writers, and to explore potential options for affording more open, flexible and less costly access to the Society's equestrian facilities by the members of the Association.*  
CARRIED UNANIMOUSLY
- 819.05            MOVED BY COUNCILLOR HADDON  
                      SECONDED BY COUNCILLOR MASON  
*That the refinement of the mixed use, multi-purpose linked trail network to accommodate improved access for a broad range of trail users (equestrians, cyclists and pedestrians) be referred to the next Official Community Plan Update/Review process.*  
CARRIED UNANIMOUSLY
- 820.05            MOVED BY COUNCILLOR HADDON  
                      SECONDED BY COUNCILLOR KOROL  
*That the concept of establishing a permanent Equestrian Advisory Standing Committee be referred to an upcoming meeting of the Parks and Facilities Committee for further discussion.*  
CARRIED  
OPPOSED: MAYOR HABKIRK
- 821.05            MOVED BY COUNCILLOR HADDON  
                      SECONDED BY COUNCILLOR KOROL  
*That the request of the Central Saanich Horse Owners Association to formally designate the Oakes Property as the site of a future public equestrian facility be referred to the upcoming Centennial Park Master Plan process for further discussion and consideration.*  
CARRIED UNANIMOUSLY
- 822.05            MOVED BY COUNCILLOR HADDON  
                      SECONDED BY COUNCILLOR MASON  
*That an article be included in the upcoming edition of the Community Focus Newsletter offering safety tips and information to motorists and other non-equestrian users designed to promote improved road sharing and safety for equestrians when utilizing roadways and multi-purpose trails in the community.*  
CARRIED UNANIMOUSLY
- 823.05            MOVED BY COUNCILLOR THOMPSON  
                      SECONDED BY COUNCILLOR HADDON  
*That the issue of competitive cycling road race etiquette and interface with other users of the District's road and trail network be referred to a future Committee Meeting for discussion, with appropriate representatives from the various cycling road race organizations, the local farming community and the local equestrian community to be invited to attend the Meeting.*  
CARRIED  
OPPOSED: MAYOR HABKIRK AND COUNCILLOR GRAHAM

**Planning & Development Committee – June 13, 2005**

- 824.05            MOVED BY COUNCILLOR THOMPSON  
                      SECONDED BY COUNCILLOR MASON  
*That the Minutes of the Planning & Development Committee Meeting held on June 13, 2005 be adopted as circulated.*  
CARRIED UNANIMOUSLY

**1. Habitat Acquisition Trust (HAT) Re: New HAT Stewardship Manuals**

825.05            MOVED BY COUNCILLOR THOMPSON  
                      SECONDED BY COUNCILLOR MASON  
*That the presentation from the Habitat Acquisition Trust (HAT) on the new HAT Stewardship Manual be received, and an appropriate letter of thanks be forwarded to the HAT commending them for their efforts on this initiative.*  
CARRIED UNANIMOUSLY

**2. Capital Region Food and Agriculture Initiatives Roundtable Re: “Capital Region Food Charter”**

826.05            MOVED BY COUNCILLOR THOMPSON  
                      SECONDED BY COUNCILLOR MASON  
*That the presentation from the Capital Region Food and Agriculture Initiatives Roundtable on the “Capital Region Food Charter”, including the draft proposed Charter and related informational materials which were circulated at the meeting, be received.*  
CARRIED UNANIMOUSLY

827.05            MOVED BY COUNCILLOR THOMPSON  
                      SECONDED BY COUNCILLOR MASON  
*That the draft proposed “Capital Region Food Charter” be referred to a future Committee Meeting for further discussion and consideration of endorsement.*  
CARRIED UNANIMOUSLY

**Advisory Committees:**

**1. Memoranda from the Advisory Planning Commission**

**a) Memorandum dated June 8, 2005 from Peter Parsons, Chair – Advisory Planning Commission Re: Secondary Suites.**

The Chair of the Advisory Planning Commission, Mr. Peter Parsons, gave a brief overview of the Memorandum in regards to Secondary Suites.

*The Memorandum dated June 8, 2005 from the Advisory Planning Commission entitled “Secondary Suites” was received for information without a motion.*

**b) Memorandum dated June 9, 2005 from Peter Parsons, Chair – Advisory Planning Commission Re: Review of CRD Parks Master Plan.**

The Chair of the Advisory Planning Commission, Mr. Peter Parsons, addressed the contents of the Memorandum in regards to the Review of the CRD Parks Master Plan and the Commission’s recommendation that the CRD be encouraged to continue the Interurban Rail Trail on the west side of the Peninsula.

828.05            MOVED BY COUNCILLOR HADDON  
                      SECONDED BY COUNCILLOR GRAHAM  
*That the Memorandum dated June 9, 2005 from the Advisory Planning Commission entitled “Review of CRD Parks Master Plan” be received and forwarded to Capital Regional District (CRD) Parks for information, and CRD Parks be further requested to consider the need for additional “swimming beaches” in the Central Saanich area in its review of the Strategic Directions which are contained in the CRD Parks Master Plan.*  
CARRIED UNANIMOUSLY

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

**1. Capital Regional District (CRD)** – Mayor Habkirk provided a brief status report on the recruitment of a new Chief Administrative Officer for the CRD, as well as her discussions with the CRD Board Chair and Staff with respect to the Travel Choices document and transit issues in the Capital region.

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2. **Peninsula Recreation Commission (PRC)** – Mayor Habkirk advised that the next PRC Meeting is scheduled to be held on June 23<sup>rd</sup>, 2005 at 7:00 pm, and encouraged members of Council to attend this meeting as the responses from the three Peninsula Councils regarding the proposed referendum is an agenda topic for discussion.
  3. **First Nations** – Councillor King advised that the May 2005 edition of the Community Focus Newsletter was distributed to the Tsawout and Tsartlip First Nations. He also provided a brief report on the recent meeting that took place between the Tsawout First Nation and BC Transit at which time transit issues on the First Nation Reserve was discussed. Councillor King further advised that he will be meeting with the Tsartlip First Nation Administrator next week.
  4. **Water Workshop at UVic** – Councillor King reported on his attendance at a Water Workshop that was recently held at UVic.
  5. **Victoria Car Share Co-op and Newton Place Properties Celebration** – Councillor King advised that a celebration between the Victoria Car Share Co-op and the residents of the Newton Place will take place this week.
  6. **Parks Projects** – Councillor Haddon gave a brief update on the current status of the following Parks projects:
    1. Saanichton Green Improvement Project
      - children's play area and pathway/security lighting components of Phase II works continue;
      - swings and basketball hoop have been ordered; awaiting delivery;
    2. Newman Farm Project
      - volunteers continue to assist in a variety of project areas, including: genealogical research; paper conservation; haying of pastures; removal of invasive plant species; and preparation of display materials for the Saanich Fall Fair.
      - a request for donation of cedar fence posts has been submitted to Western Forest Products Ltd.;
      - two additional boxes of print photographs and slides have been donated by Pat Morrison;
    3. Butterfield Gardens Restoration Project
      - construction of a compost bin is planned for early July;
      - minor re-alignment of the driveway immediately north of the garage will reduce the risk of damage to the building by service vehicles;
      - volunteers continue to remove invasive species from the east edge of the Park.
    4. Gifting Programme Promotion
      - a display table to promote the Corporate Gifting Programme was included in the 2005 Brentwood Bay Festival held on June 4<sup>th</sup> ;
      - several inquiries have been received since, with three new donations currently being finalized.
  7. **Greater Victoria Public Library (GVPL)** – Councillor Graham gave a brief verbal update on recent GVPL activities.
  8. **Capital Regional District (CRD) Solid Waste Advisory Committee** – Councillor Korol advised that at a recent meeting of the CRD's Solid Waste Advisory Committee, a recommendation was made that "Alternative Representatives" to the Committee be considered by the Municipal Councils.
- 829.05      MOVED BY COUNCILLOR HADDON  
                  SECONDED BY COUNCILLOR GRAHAM  
                  *That Councillor Zeb King be appointed as the District's Alternate Representative to Councillor Korol on the Capital Regional District's Solid Waste Advisory Committee.*  
                  CARRIED UNANIMOUSLY

9. **Water Conservation Measures** – Councillor Korol briefly commented on the CRD's water conservation and water restriction measures which are currently in effect.
10. **Beacon Community Services (formerly "Peninsula Community Services")** – Councillor Mason advised that the Peninsula Community Services recently changed its name to "Beacon Community Services").
11. **Family Court and Youth Justice Committee** – Councillor Mason commented on the success of the Paradigm Arts Festival and the launch of the Crystal Meth website.
12. **Saanich Historical Artifacts Society "Heritage Acres"** – Mayor Habkirk briefly reported on her attendance at the "Old Time Summer Fair" event which took place at "Heritage Acres" on June 18 and 19, 2005.
13. **Chamber of Commerce Breakfast Meeting** – Mayor Habkirk and Councillor Mason advised that they attended a recent Peninsula Chamber of Commerce breakfast meeting.

**STAFF MEMORANDA AND REPORTS:**

1. **Recommended Remedial Action Resolutions**

a) **6500 Lochside Drive – Accessory Building Converted to Dwelling Unit**

1. Staff Memorandum dated May 20, 2005 from Roy Thomassen, Chief Building Inspector Re: 6500 Lochside Drive – Accessory Building Converted to Dwelling Unit; and
2. Correspondence dated June 8, 2005 from Mr. Frans K. Winkel, 6500 Lochside Drive.

The Director of Planning & Building Services, Ms. Hope V. Burns, gave a comprehensive overview of the Staff Memorandum pertaining to the accessory building which has been converted to a dwelling unit on property located at 6500 Lochside Drive and referred to the June 8<sup>th</sup>, 2005 correspondence from Mr. Winkel, and responded to questions from members of Council.

The Applicant, Mr. Frans Winkel, gave an overview of the history of the property and the conversion of the accessory building to a dwelling unit for farm help, during which time he noted the following points:

- stated that a building permit must have previously been in place because of the electrical connection to the accessory building which was installed by BC Hydro
- advised that new steps to the second floor of the accessory building, including a proper handrail, have been constructed and installed to improve the safety of the dwelling unit for his tenant, Mr. Derrick Pottinger
- confirmed that a safety railing has been placed in front of the second floor sliding door
- advised that a permit for the woodstove was previously obtained
- advised that additional boards have been installed to reinforce the second floor, and a hardwired smoke alarm has been installed
- stated that he was not aware of the building permit requirement, and feels he is being "singled out"
- advised Council that he is willing to undertake the necessary work to bring the accessory building up to an acceptable standard, but that he does not want to remove the dwelling unit as he needs it for his farm help

In discussion around the table, members of Council indicated a desire to find a workable solution to address all outstanding building code issues. It was suggested that Councillor Thompson convene a meeting with Mr. Winkel and Municipal Staff to discuss this particular file, and that this matter be brought back to the July 4<sup>th</sup>, 2005 Council Meeting for further discussion and consideration.

- 830.05            MOVED BY COUNCILLOR THOMPSON  
                      SECONDED BY COUNCILLOR MASON  
*That the Staff Memorandum dated May 20, 2005 entitled "6500 Lochside Drive – Accessory Building Converted to Dwelling Unit – Proposed Remedial Action" together with the correspondence dated June 8, 2005 from Mr. Frans Winkel be received, and Councillor Thompson be requested to convene a meeting with Mr. Winkel and appropriate Staff from the Department of Planning & Building Services to discuss the current status of this particular file, and this matter be placed back on the agenda of the Special (Open) Council Meeting to be held on July 4, 2005 for further consideration.*  
CARRIED UNANIMOUSLY

**b) 752 Sea Drive – Accessory Building Converted to Dwelling Unit**

1. Staff Memorandum dated May 20, 2005 from Roy Thomassen, Chief Building Inspector Re: 752 Sea Drive – Remedial Action, Accessory Building Converted to a Dwelling Unit;
2. Correspondence dated June 16, 2005 from Jakob S. DeVilliers, Solicitor Re: 752 Sea Drive.

The Director of Planning & Building Services, Ms. Hope V. Burns, gave a comprehensive overview of the Staff Memorandum in regards to the accessory building which has been converted to a dwelling unit on property located at 752 Sea Drive, and responded to questions from members of Council.

It was noted that the Applicant was not in attendance at the meeting to address the issue.

Mayor Habkirk asked if any members of the public in attendance at the meeting were representing the property owner, Mr. Scott Brackenridge. There was no response.

- 831.05            MOVED BY COUNCILLOR GRAHAM  
                      SECONDED BY COUNCILLOR HADDON  
*That the Staff Memorandum dated May 20, 2005 entitled "752 Sea Drive – Remedial Action, Accessory Building Converted to Dwelling Unit", together with the correspondence dated June 16, 2005 from Mr. Jakob De Villiers, Barrister & Solicitor be received, and the Council of the District of Central Saanich pass the following Resolution regarding land legally described as Lot 5, Block B, Section 12, Range 2 West, South Saanich District, Plan 2060, PID 006-700-748, having a civic address of 752 Sea Drive ("the Property"):*

A. *In accordance with the Community Charter, sections 72(1)(a) and 72(2)(b)(iii) and sections 73(1)(a) and 73(2)(b), the owner of the Property be required to:*

1. *provide detailed floor plans to indicate removal of all kitchen and sanitary facilities from the accessory building located at the north end of the property (lower end of property), including kitchen cabinets, counter tops, kitchen sink with associated plumbing, all kitchen appliances, all 220-volt electrical connections, washroom fixtures, and conversion of the building to an accessory building in compliance with the Land Use Bylaw No. 1309; and*
2. *obtain the required building and plumbing permits by July 15, 2005, carry out the remedial work which has been identified on the building plans by August 15, 2005, and obtain all inspections required by the Building Bylaw.*

B. *If the owner fails to carry out the remedial work by August 15, 2005, then in accordance with section 77(3)(b) of the Community Charter, the Municipality take the actions described in section A of the foregoing resolution in accordance with section 17 of the Community Charter (municipal action at defaulter's expense) at the expense of the owner of the Property.*

CARRIED UNANIMOUSLY

**2. Agricultural Land Commission Application for Six Dwelling Units for Farm Help (6286 Oldfield Road – Oldfield Orchards)**

- a) Staff Memorandum dated June 7, 2005 from Hope V. Burns, Director of Planning & Building Services Re: Agricultural Land Commission Application for Six Dwelling Units for Farm Help (6286 Oldfield Road – Oldfield Orchards);
- b) Correspondence dated June 20, 2005 from John Cochran and Elizabeth Dunn, 6212 Bryn Road.

The Director of Planning & Building Services gave a comprehensive overview of the Staff Memorandum pertaining to the ALC Application for six additional dwelling units for farm help on property located at 6286 Oldfield Road, and confirmed Council's and Staff's position that only the ALC has the professional expertise to determine if the existing farm operations require additional residences for farm help.

It was noted that the letter writers, John Cochran, Elizabeth Dunn and Jerry Mussio, were not in attendance at the meeting to address their correspondence.

Mrs. Debbie Scott, Applicant

- overviewed the proposal for six temporary housing units (campers, trailers or cottages) on the farm property to accommodate seasonal farm help
- suggested that the Staff Memorandum contains discrepancies in regards to the size of the subject property and the current zoning
- advised that the additional housing units are required to accommodate local homeless youth who have been hired by Oldfield Orchards as seasonal farm help, and questioned why this information was not outlined in the Staff Memorandum

Mr. Derek Scott, Applicant

- advised that he and his wife are providing their new employees with an opportunity to modify their lives in a positive way while working in a safe, drug-free and alcohol-free environment
- commented on the challenges of hiring a sufficient number of temporary labourers to assist with harvesting their land, as there is a definite shortage of labour for this type of work
- overviewed the proposal to develop six housing units and washroom/shower facilities on the property to accommodate these workers
- commented on the District's position with respect to forwarding applications for additional residences for farm help to the ALC, and questioned the consistency of how this policy is applied, as the Marley Farm's request for a suite was never referred to the ALC by Council
- advised that "seasonal" means that as long as there are crops to be cultivated, his "seasonal workers" will remain on the property, which may be year round

A lengthy discussion ensued between members of Council and the Applicants.

Mr. Brent Warner, representing the Ministry of Agriculture, Food and Fisheries advised Council that there is a critical shortage of farm labourers and that many local farming operations employ workers from other countries in order to cultivate their crops. Mr. Warner further advised that the seasonal employees at Oldfield Orchards need fresh water, washroom and shower facilities, and encouraged Council to approve the application for the six temporary housing units. He cautioned Council about referring the application to the ALC with the hopes of getting a quick answer as it would likely take several months to get a response.

Staff were questioned why it appeared that information pertaining to the occupants of the proposed temporary structures was not provided to Council as there was nothing recorded in the Staff Memorandum. Staff responded by stating that the information provided in the application was the same information provided to Council.

The Administrator addressed the past practise and policy of referring to the ALC applications for additional residences for farm help, and suggested that the District may be in a position to grant conditional approval on a temporary basis until a decision was made by the ALC, however confirmation from the Municipal Solicitor would be required in this regard.



**3. Memoranda to Commence Process for Consideration of Variances**

**a) Development Permit Application with Variances for Proposed Additional Building, 6680 Mirah Road (Huntly Properties Ltd.)**

1. Staff Memorandum dated June 3, 2005 from Hope V. Burns, Director of Planning & Building Services Re: Development Permit Application with Variances for Proposed Additional Building, 6680 Mirah Road (Huntly Properties Ltd.); and
2. Additional architectural drawings Re: Development Permit Application – 6680 Mirah Road.

The Director of Planning & Building Services provided an overview of the Staff Memorandum, and introduced the Architect, Mr. Barry Levinson, who gave a brief, informational presentation of the proposed Development Permit and Development Variance Permit Application which would allow the construction of an additional, separate warehouse building on property located at 6680 Mirah Road. Mr. Levinson displayed the site layout and elevation drawings, and described the proposed exterior finish and design of the structure.

Mr. Michael Bocking, Landscape Architect, briefly overviewed the proposed landscape plan for the proposal which consists of an assortment of trees, various sizes of shrubs, groundcover and stamped brick pathways, as well as a rooftop garden on the new building.

During a brief question and answer session, Councillor King questioned if the collection of rainwater from the rooftop of the proposed new building had been explored by the Applicant.

837.05            MOVED BY COUNCILLOR KING  
                      SECONDED BY COUNCILLOR KOROL  
*That the Applicant be requested to consider the implementation of appropriate mechanisms for the collection of rainwater from the roof of the proposed structure.*  
                      CARRIED UNANIMOUSLY

838.05            MOVED BY COUNCILLOR HADDON  
                      SECONDED BY COUNCILLOR MASON  
*That the Staff Memorandum dated June 3, 2005 entitled "Development Permit Application with Variances for Proposed Additional Building, 6680 Mirah Road (Huntly Properties Ltd.)" be received, and:*

1. *Council propose to consider the issuance of a Development Variance Permit to vary:*
  - *the required front yard setback from 12 m to 0.6 m;*
  - *the required side yard interior setback from 12 m to 5.17 m;*
  - *the number of required parking stalls from 28 spaces to 25 spaces; and*
2. *Staff be instructed to undertake the required statutory notification procedures.*

CARRIED UNANIMOUSLY

**b) Development Variance Permit Application, 7321 Lochside Drive (Saanich Historical Artifacts Society)**

1. Staff Memorandum dated June 14, 2005 from Hope V. Burns, Director of Planning & Building Services Re: Development Variance Permit Application, 7321 Lochside Drive (Saanich Historical Artifacts Society).

The Director of Planning & Building Services gave an overview of the Staff Memorandum in regards to the proposed Development Variance Permit for the Saanich Historical Artifacts Society property located at 7321 Lochside Drive.

Mr. Bob Buckle and other representatives from the Vancouver Island Model Engineers Society were in attendance at the meeting and advised that they had no further comments to offer at this time.

839.05            MOVED BY COUNCILLOR HADDON  
                      SECONDED BY COUNCILLOR MASON  
*That the Staff Memorandum dated June 14, 2005 entitled "Development Variance Permit Application, 7321 Lochside Drive (Saanich Historical Artifacts Society)" be received, and:*

1. *Council propose to consider the issuance of a Development Variance Permit to vary:*
  - *the approved siting envelope and the riparian setbacks in the Land Use Bylaw and Bylaw No. 1187 to allow the construction of the railbed, associated bridges and culverts within 15 m of a watercourse, subject to the Development Variance Permit including requirements for appropriate mitigation strategies to minimize impact; and*
2. *Staff be instructed to undertake the statutory notification procedures.*

CARRIED UNANIMOUSLY

Mr. Bob Buckle thanked Council for supporting this initiative.

#### **4. Brentwood Bay Traffic Corridor Revitalization Project Funding Options**

- a) Staff Memorandum dated June 15, 2005 from Ed Sykora, Director of Financial Services Re: Brentwood Bay Traffic Corridor Revitalization Project Funding Options;
- b) Correspondence dated May 16, 2005 from the Brentwood Bay Traffic Corridor Revitalization Committee [previously received by Council at the June 6<sup>th</sup>, 2005 Regular Council Meeting.]

The Director of Financial Services, Mr. Ed Sykora, gave a lengthy, comprehensive overview of the Staff Memorandum pertaining to the various funding options for the Brentwood Bay Traffic Corridor Revitalization Project, and responded to questions from members of Council.

#### **Motion to Extend Meeting Past 10:30 pm**

840.05            MOVED BY COUNCILLOR KOROL  
                      SECONDED BY COUNCILLOR HADDON  
*That the Regular Council Meeting held on June 20, 2005 be authorized to extend past 10:30 pm.*  
CARRIED UNANIMOUSLY

841.05            **\*\* DEFEATED \*\***  
                      MOVED BY COUNCILLOR GRAHAM  
                      SECONDED BY COUNCILLOR KING  
*That the individual recommendations pertaining to the Brentwood Bay Traffic Corridor Revitalization Project Funding Options, as contained in the Staff Memorandum, be adopted through an omnibus motion.*  
MOTION DEFEATED  
OPPOSED: MAYOR HABKIRK, COUNCILLORS HADDON, KOROL AND MASON

842.05            MOVED BY COUNCILLOR HADDON  
                      SECONDED BY COUNCILLOR MASON  
*That the Staff Memorandum dated June 15, 2005 entitled "Brentwood Bay Traffic Corridor Revitalization Project Funding Options Report" be received, and Council not support the funding of any portion of the Project as a Local Area Service.*  
CARRIED  
OPPOSED: COUNCILLOR KING

843.05            MOVED BY COUNCILLOR HADDON  
                      SECONDED BY COUNCILLOR MASON  
*That Council fund the District's share of the roads, sidewalk, landscaping and streetscape component of the Project from GOF Reserves for Future Expenditures.*  
CARRIED UNANIMOUSLY

844.05 MOVED BY COUNCILLOR HADDON  
SECONDED BY COUNCILLOR MASON  
*That the WOF Reserves for Future Expenditures be used to fund the municipal portion of the watermain component of the Project.*  
CARRIED UNANIMOUSLY

845.05 MOVED BY COUNCILLOR HADDON  
SECONDED BY COUNCILLOR MASON  
*That Council select a fifteen (15) year repayment term for both major components of the Project and set an internal borrowing rate of four (4) percent.*  
CARRIED UNANIMOUSLY

846.05 MOVED BY COUNCILLOR HADDON  
SECONDED BY COUNCILLOR KOROL  
*That the Five Year Financial Plan be amended accordingly to show the above-noted repayment of GOF accumulated reserves for future expenditures and WOF accumulated reserves for future expenditures.*  
CARRIED UNANIMOUSLY

Mayor Habkirk thanked the members of the Brentwood Revitalization Implementation Committee ~ Mrs. Ginny Alger, Mr. John Tidman, Mr. Wayne Watkins and Mr. Peter Parsons ~ and Municipal Staff for their hard work and dedication to this project.

**5. Purchase of Skid-Steer Loader (Unit #268)**

- a) Staff Memorandum dated June 15, 2005 from Peter Smith, Clerk-Buyer Re: Purchase of Skid-Steer Loader (Unit #268).

847.05 MOVED BY COUNCILLOR HADDON  
SECONDED BY COUNCILLOR KOROL  
*That the Staff Memorandum dated June 15, 2005 entitled "Purchase of Skid-Steer Loader (Unit #268)" be received, and Staff be authorized to proceed with the purchase of the Skid-Steer Loader for Surfwood Supply (1964) Lt. as proposed in their bid for the supply of a 2005 Bobcat S185H, including some optional equipment (ACS foot controls, loading ramps, bolt-on bucket teeth kit and counterweight package) for the price of \$37,942.18, including all net taxes (3% GST, 7% PST).*  
CARRIED UNANIMOUSLY

**6. 2005 Local Government Election**

- a) Staff Memorandum dated June 13, 2005 from Trish Flanders, Municipal Clerk Re: 2005 Local Government Election.

848.05 MOVED BY COUNCILLOR MASON  
SECONDED BY COUNCILLOR GRAHAM  
*That:*

- 1. Council appoint Ms. Trish Flanders as the Chief Election Officer for the 2005 Local Government Election for the District of Central Saanich; and*
- 2. Council appoint Ms. Wendy Vanderford as the Deputy Chief Election Officer for the 2005 Local Government Election for the District of Central Saanich;*
- 3. Council confirm the Central Saanich Municipal Hall and the Central Saanich Cultural Centre as the polling stations for the 2005 Local Government Election.*

CARRIED UNANIMOUSLY

**7. Sidney Anglers Association – Temporary Use of Saanichton Dock for Salmon Smolt Rearing Pen**

- a) Proposed Resolutions Re: Sidney Anglers Association's Temporary Use of Saanichton Dock for Salmon Smolt Rearing Pen.

The Administrator provided an overview of the proposed Dock Use License with the Sidney Anglers Association for its temporary use of the Saanichton Dock for the proposed installation of a salmon smolt rearing pen, and responded to questions from members of Council.

- 849.05            MOVED BY COUNCILLOR GRAHAM  
                      SECONDED BY COUNCILLOR MASON  
*That the proposed Dock Use License between the District of Central Saanich and the Sidney Anglers Association for temporary use of the Saanichton Dock by the Association for its Salmon Smolt Rearing Project be received, and:*
1. *Council authorize the submission of an application to Land and Water British Columbia Inc. to amend the District's Lease with the Province for the Saanichton Dock (Lease No. 111243) to include annual temporary smolt rearing, including the submission of the required amendment fee of \$267.50 and a sublicense fee of \$267.50; and*
  2. *Council approve the proposed Dock Use License with the Sidney Anglers Association for temporary use by the Association of the Saanichton Dock until July 31, 2005 for the purpose of installing a salmon smolt rearing pen, and authorize the execution of the Lease by the corporate signing officers of the Municipality.*

CARRIED UNANIMOUSLY

**BYLAWS:** None.

**UNFINISHED BUSINESS:** None.

**NEW BUSINESS/OTHER COMPETENT BUSINESS:**

**1. Brentwood Bay – Mill Bay Ferry Re: Proposed Fuel Surcharge**

- a) News Release dated June 10, 2005 Re: Brentwood Bay-Mill Bay Ferry – Proposed Fuel Surcharge.

A brief discussion took place with respect to the BC Ferries intention to make a formal application to the BC Ferry Commissioner to implement a fuel surcharge to recover the high cost of fuel.

- 850.05            MOVED BY COUNCILLOR HADDON  
                      SECONDED BY COUNCILLOR KING  
*That a letter be written to the Commissioner of B.C. Ferries, with copies to the CEO of BC Ferries, the local MLA and the MLA for the Mill Bay area, expressing Council's concerns over the proposed fuel surcharge and requesting an explanation in regards to the apparent discrepancy between the amount of the surcharge proposed for the Brentwood Bay – Mill Bay Ferry route and other similar routes such as the Swartz Bay – Fulford Harbour route.*  
CARRIED UNANIMOUSLY

- 851.05            MOVED BY COUNCILLOR HADDON  
                      SECONDED BY COUNCILLOR KING  
*That Council grant to the local "Save the Ferry" Committee the availability, at no cost, of appropriate meeting space at the Central Saanich Municipal Hall if required in connection with this particular issue.*  
CARRIED UNANIMOUSLY

- 852.05            MOVED BY COUNCILLOR HADDON  
                      SECONDED BY COUNCILLOR KING  
*That Council extend through Chief Morris an invitation to the Saanich First Nation to join with the District of Central Saanich in its efforts to promote and lobby for the preservation of the Brentwood Bay – Mill Bay Ferry.*  
CARRIED UNANIMOUSLY

**2. Proposed Film Shoot in Centennial Park – June 30, 2005**

The Administrator advised that an application for film production has been received by the District from Ms. Kathleen Gilbert of Oakridge Productions requesting the opportunity for a proposed “low-key” film shoot in Centennial Park from 9:00 am to 9:00 pm on June 30<sup>th</sup>, 2005.

*The information was received without a motion and no concerns were expressed by members of Council.*

**3. Calendar of Meetings – July 2005**

*The draft Calendar of Meetings for July 2005 was received for information without a motion.*

**CORRESPONDENCE (Receive for General Information):**

1. **Office of the Ombudsman Re: Reinstatement of Investigations for Local Governments and Professional Associations Effective May 1, 2005** – Correspondence dated May 30, 2005 from Howard Kushner, Ombudsman for the Province of British Columbia Re: Reinstatement of Investigations for Local Governments and Professional Associations effective May 1, 2005;
2. **Federation of Canadian Municipalities (FCM) Re: Membership in FCM** – Correspondence dated May 30, 2005 from Gord Steeves, 3<sup>rd</sup> Vice-President of the Federation of Canadian Municipalities Re: Membership in FCM;
3. **City of Vernon Re: Request for Public Inquiry into the Investigation of the Air India Bombings** – Correspondence dated May 30, 2005 from Karla Lanktree, City Clerk – City of Vernon Re: Request for Public Inquiry into the Investigation of the Air India Bombings;
4. **Ministry of Small Business and Economic Development Re: Olympic/Paralympic Live Sites Program** – Message dated June 6, 2005 from the Ministry of Small Business and Economic Development Re: Olympic/Paralympic Live Sites Program;

853.05

MOVED BY COUNCILLOR HADDON  
SECONDED BY COUNCILLOR MASON

*That the correspondence be received and referred to Staff for investigation and consideration of the possible submission of a grant application under this Program for future upgrades and improvements to Centennial Park.*

CARRIED UNANIMOUSLY

**5. Correspondence from the Union of BC Municipalities:**

- a) Memorandum dated June 7, 2005 from Ken Vance, Senior Policy Analyst – UBCM Re: West Nile Virus;

6. **Copy of Correspondence from Ms. Lorna Pugh to District’s Approving Officer Re: Proposed Subdivision of Property Located at 6900 Wallace Drive)** – Copy of correspondence dated May 31, 2005 from Ms. Lorna Pugh, 6895 Wallace Drive to Hope V. Burns, Approving Officer - District of Central Saanich Re: Proposed Subdivision of Property Located at 6900 Wallace Drive;

7. **District of Highlands Re: Zoning Bylaw Amendment – Bear Mountain Comprehensive Development** – Correspondence dated June 7, 2005 from Scott Coulson, Administrator – District of Highlands Re: Zoning Bylaw Amendment – Bear Mountain Comprehensive Development;

8. **Canadian Association of Home and Property Inspectors (BC) Re: Establishment of Standard for the BC Home and Property Inspection Industry** – Correspondence dated June 14, 2005 from Bill Sutherland, President – Canadian Association of Home and Property Inspectors (BC) Re: Establishment of Standard for the BC Home and Property Inspection Industry;

9. **Central Saanich Police Board** – Minutes of the Police Board Meeting held on May 12, 2005;

**10. Capital Regional District** – Minutes of the CRD Board Meeting held on June 8, 2005;

854.05            MOVED BY COUNCILLOR KOROL  
                      SECONDED BY COUNCILLOR GRAHAM  
                      *That the above Item Nos. 1 to 10 be received for information and the contents  
                      noted.*  
                      CARRIED UNANIMOUSLY

**ADJOURNMENT:**

*On motion, the Regular Council Meeting held on June 20, 2005 adjourned at 10:43 pm.*

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Allison Habkirk  
Mayor

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Trish Flanders  
Municipal Clerk

Recorded by: Trish Flanders  
Municipal Clerk