

THE CORPORATION OF THE DISTRICT OF CENTRAL SAANICH

Minutes of the **SPECIAL (OPEN) COUNCIL** Meeting
Monday, September 6, 2005 at 7:20 p.m.
Central Saanich Municipal Council Chamber

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

APPROVAL OF THE AGENDA:

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

- Correspondence dated September 2, 2005 from Beth Haugen-Dekkers Re: Proposed Council Procedure Bylaw No. 1531, to be included as Item 10c) under Section 7 – Correspondence (Action Required or Recommended);
- Staff Report dated September 1, 2005 Re: West Saanich School Project (7130 West Saanich Road), to be included as Item 2 under Section 9 – Staff Memoranda and Reports;
- Correspondence Re: Saanich Peninsula Hospital to be included with Item 5 under Section 7 – Correspondence (Action Required or Recommended) from:
 - a) Saanich Peninsula Hospital Foundation, Peninsula Health Association and Auxiliary to Saanich Peninsula Hospital, September 1, 2005;
 - b) Eileen Nattrass, 1973 Polo Park Court, to Howard Waldner, Vancouver Island Health Authority, August 28, 2005; and
 - c) Hewitt Helmsing, Saanich Peninsula Health Association, to Howard Waldner, Vancouver Island Health Authority, September 5, 2005.

Mayor Habkirk advised that the order of this evening's agenda may be to be amended in order to accommodate Mr. Jonathan Yardley's comments on the West Saanich School issue by 8:00 pm, as Mr. Yardley was scheduled to take a 9:00 pm ferry to Saltspring Island.

1028.05 MOVED BY COUNCILLOR GRAHAM
 SECONDED BY COUNCILLOR THOMPSON
 That the Agenda for the Special (Open) Council Meeting held on September 6, 2005 be approved as amended.
 CARRIED UNANIMOUSLY

MAYOR'S OPENING REMARKS:

Mayor Habkirk briefly remarked on the success of the 138th Annual Saanich Fair which was held at the Saanich Fairgrounds from September 3rd to 5th, 2005, and thanked those members of Council and Staff who participated in various activities at this year's Fair.

ADOPTION OF THE MINUTES:

Report of the Public Hearing held on August 15, 2005

1029.05 MOVED BY COUNCILLOR KOROL
 SECONDED BY COUNCILLOR HADDON
 That the Report of the Public Hearing held on August 15, 2005 be received as circulated.
 CARRIED UNANIMOUSLY

Minutes of the Special (Open) Council Meeting held on August 15, 2005

- 1030.05 MOVED BY COUNCILLOR KOROL
 SECONDED BY COUNCILLOR KING
 That the Minutes for the Special (Open) Council Meeting held on August 15, 2005 be adopted as circulated.
 CARRIED UNANIMOUSLY

BUSINESS ARISING FROM THE MINUTES: None.

RISE AND REPORT: None.

PUBLIC INQUIRIES AND ANSWERS THERETO:

1. Dr. David A. Boag, 6746 Amwell Drive, advised Council that the Advisory Planning Commission often has quorum challenges and questioned why Council has decided to not fill the current vacancy on the Commission. Mayor Habkirk advised that this vacancy will be re-advertised in Fall 2005 as part of the District's annual advertising process for volunteers.
2. Mr. Mike Fleming, 6999 West Saanich Road, questioned if the issue of agri-tourism regulations/policies will be implemented by this Council before the November 2005 election. Mayor Habkirk indicated that the District's Solicitors have been drafting appropriate regulations over the past few months, and it was noted that this matter will likely be brought forward to Council in Fall 2005.

PRESENTATIONS/PETITIONS AND DELEGATIONS:

1. **BC Transmission Corporation (BCTC) Re: Vegetation Management/Edge Tree Program (Centennial Park)**
 - 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, including an outline of 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 with BC Transmission Corporation, advised that the Transmission Line Edge Tree Project is a joint project involving BC Hydro and the BC Transmission Corporation. Mr. Read then proceeded to give an informational overview on the under the wire and edge trees that are proposed for removal and/or trimming in Centennial Park, as follows:

- 38 hazard trees, 12 edge trees and 40 under wire trees are proposed for removal (90 trees in total);
- 21 trees are proposed to treatment (i.e. create 8 wildlife trees, side limb 12 trees and spiral prune 1 tree);
- 85 small trees and shrubs are proposed for planting (Oregon grape, snowberry, Saskatoon, Indian plum, Pacific dogwood, ocean spray, and Nootka rose);
- 60 large trees are proposed for planting (Western Red Cedar and Douglas Fir);
- BCTC has worked closely with District Staff and has had full discussion and input into the planning of a range of techniques to be used instead of removal;
- Only trees which are absolutely necessary to be removed are part of this program;
- BCTC will endeavour to locate larger plant materials especially for roadside edge replanting;
- BCTC will work with District Staff to ensure that care and watering is part of the initial plan.

A brief question and answer session took place.

Councillor King expressed concern with the proposed removal of 90 trees in Centennial Park.

The presentation was received for information without a motion.

CORRESPONDENCE (Action Required or Recommended):

1. Capital Regional District (CRD) Re: Model Codes of Practice for Recycling Operations and Outdoor Storage Yard Operations

- a) Correspondence dated August 11, 2005 from Cathy Leahy, Secretary – Saanich Peninsula Wastewater Committee Re: Model Codes of Practice for Recycling Operations and Outdoor Storage Yard Operations.

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

1031.05 MOVED BY COUNCILLOR THOMPSON
 SECONDED BY COUNCILLOR KOROL
 That the correspondence be received, and referred to Staff for review and recommendation as deemed appropriate.
 CARRIED UNANIMOUSLY

2. C Lloyd Re: Drainage Ditch in the Vicinity of 1246 Greig Avenue

- a) Correspondence dated August 24, 2005 from Colin Lloyd, 1246 Greig Avenue Re: Drainage Ditch in the Vicinity of 1246 Greig Avenue.

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

1032.05 MOVED BY COUNCILLOR GRAHAM
 SECONDED BY COUNCILLOR MASON
 That the correspondence be received, and referred to Staff for review and appropriate action or recommendation as may be required.
 CARRIED UNANIMOUSLY

3. Stelly's Secondary School Re: Terry Fox School Run, September 16, 2005

- a) Correspondence dated August 21, 2005 from Kevin Smyth, Athletic Director – Stelly's Secondary School Re: Terry Fox School Run, September 16, 2005.

Mr. Kevin Smyth, Stelly's Secondary School, overviewed the contents of his correspondence in regards to the proposed Terry Fox School Run on September 16th, 2005 and briefly addressed his request that a portion of Stelly's Cross Road be closed during this event.

The Administrator gave an overview of the Staff recommendation in regards to the proposed closure of a portion of Stelly's Cross Road and the recommendation that the letter writer obtain approval from the Central Saanich Police Service of an appropriate traffic management and control plan for this event.

1033.05 MOVED BY COUNCILLOR THOMPSON
 SECONDED BY COUNCILLOR GRAHAM
 That the correspondence be received, and the District advise the letter writer that while it is supportive in principle of the proposed event, based on the information provided and the proposed timeframe for the race, it would not be supportive of the requested closure of the portion of Stelly's Cross Road in question, and that approval for the event to proceed be made subject to the submission and approval of an acceptable traffic management and control plan to the satisfaction of the Central Saanich Police Service.
 CARRIED UNANIMOUSLY

4. Crystal Meth Victoria Society Re: Meth Watch Program

- a) Correspondence dated August 2, 2005 from Mark McLaughlin, President – Crystal Meth Victoria Society Re: Meth Watch Program.

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

- 1034.05 MOVED BY COUNCILLOR GRAHAM
 SECONDED BY COUNCILLOR THOMPSON
That the correspondence be received and referred to the Central Saanich Police Board for its consideration.

BEFORE THE QUESTION WAS CALLED, it was

- 1035.05 AMENDMENT
 MOVED BY COUNCILLOR HADDON
 SECONDED BY COUNCILLOR MASON
That the foregoing motion be amended to include the following:

“, and the Society be advised that the District would be prepared to consider an appropriate application for grant-in-aid funding for the 2006 calendar year.”

THE QUESTION WAS CALLED ON THE AMENDING MOTION
THE AMENDMENT MOTION CARRIED UNANIMOUSLY

THE QUESTION WAS CALLED ON THE MAIN MOTION AS AMENDED
THE MAIN MOTION AS AMENDED CARRIED UNANIMOUSLY

Councillor Haddon requested that Staff advise the Crystal Meth Victoria Society of the District's grant-in-aid policy and encourage the Society to submit an application for a 2006 grant-in-aid before the September 16th, 2005 application deadline.

- 1036.05 MOVED BY COUNCILLOR HADDON
 SECONDED BY COUNCILLOR MASON
That the correspondence be further added to the agenda of the next Joint Council/Police Board Meeting for discussion.
CARRIED UNANIMOUSLY

5. Correspondence Pertaining to Saanich Peninsula Hospital

- a) Copy of correspondence dated August 14, 2005 from Hewitt Helmsing, Chair of the Board of Directors - Saanich Peninsula Health Association to Premier of British Columbia;
- b) Copy of correspondence dated August 25, 2005 from Howard Waldner, President and CEO – Vancouver Island Health Authority to Saanich Peninsula Health Association;
- c) Correspondence dated August 15, 2005 from Howard Waldner, President and CEO - Vancouver Island Health Authority;
- d) Copy of correspondence dated August 18, 2005 from Mayor Don Amos, Town of Sidney to Vancouver Island Health Authority;
- e) Copy of correspondence dated August 24, 2005 from Denny Andersen, President - The Auxiliary to Saanich Peninsula Hospital to Vancouver Island Health Authority;
- f) Correspondence dated September 1, 2005 from the Saanich Peninsula Hospital Foundation, Peninsula Health Association and Auxiliary to Saanich Peninsula Hospital;
- g) Copy of Correspondence dated August 28, 2005 from Eileen Nattrass, 1973 Polo Park Court, to Howard Waldner, Vancouver Island Health Authority; and
- h) Copy of Correspondence dated September 5, 2005 from Hewitt Helmsing, Saanich Peninsula Health Association, to Howard Waldner, Vancouver Island Health Authority.

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

- 1037.05 MOVED BY COUNCILLOR HADDON
 SECONDED BY COUNCILLOR KING
That the correspondence be received for information and the contents noted.
CARRIED UNANIMOUSLY

6. Correspondence Pertaining to Proposed Development of 7250 West Saanich Road

- a) Jessie L. Cram, 1072 Holly Park Road, August 18, 2005;
- b) Allan & Janet Cram, 1072 Holly Park Road, August 18, 2005; and
- c) Herman & Wendy Vandenbelt and Adelaide Gilmour, 1131 Holly Park Road, August 18, 2005.

Mr. Allan Cram and Ms. Wendy Vandenbelt were in attendance at the meeting and advised that they had no further comments to offer at this time.

A lengthy discussion took place in regards to the concerns expressed by the letter writers as it pertains to the proposed access to the development from Holly Park Road or Stelly's Cross instead of West Saanich Road, and it was suggested that Ministry be requested to reconsider its position in this regard.

1038.05 MOVED BY COUNCILLOR MASON
 SECONDED BY COUNCILLOR THOMPSON
That the correspondence be received, and copies be forwarded to the Ministry of Transportation with it to be noted that Council shares the concerns expressed in the letters regarding access to the proposed development from either Holly Park Road or Stelly's Cross Road, and requesting that the Ministry reconsider its position in regards to access to the development from West Saanich Road, and further that copies of the District's correspondence and attached letters be forwarded to the Developer and to the local MLA.
CARRIED UNANIMOUSLY

1039.05 MOVED BY COUNCILLOR THOMPSON
 SECONDED BY COUNCILLOR GRAHAM
That in any forthcoming Staff Memoranda to be forwarded to Council on this particular application, Staff be requested to provide appropriate clarification and/or advice on Council's authority in the context of the Development Permit process to impose conditions particularly related to traffic control and pedestrian safety.
CARRIED UNANIMOUSLY

1040.05 MOVED BY COUNCILLOR KING
 SECONDED BY COUNCILLOR THOMPSON
That copies of all Council motions relating to this particular matter be forwarded to the letter writers for their information including clarification on the specific nature of the application (i.e. Development Permit Application as opposed to Rezoning), and attaching appropriate information on the District's Development Permit conditions and/or requirements for the particular zone in question.
CARRIED UNANIMOUSLY

7. Correspondence Pertaining to District's Applications for External Grant Funding

- a) Correspondence dated August 18, 2005 from Sam Synard, Federation of Canadian Municipalities Re: Integrated Stormwater Management Program; and
- b) Correspondence from Aaron Dinwoodie, President - Union of B.C. Municipalities Re: 2005 Emergency Planning Grant.

The correspondence was received for information without a motion.

8. L Glynn Re: Intersection of Sluggett and Hagan Roads

- a) Email correspondence dated August 21, 2005 from Liza Glynn, 948 Sluggett Road Re: Intersection of Sluggett and Hagan Roads.

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

A brief discussion took place in regards to the need to improve visibility at this particular intersection, and a suggestion was made that Staff be requested to trim and/or remove vegetation particularly on the northeast corner of the intersection.

- 1041.05 MOVED BY COUNCILLOR GRAHAM
 SECONDED BY COUNCILLOR MASON
That the correspondence be received and a copy be forwarded to the Central Saanich Police Service for consideration of appropriate traffic enforcement action as may be required, and Engineering and Public Works Staff be required to review the possible necessity for vegetation trimming or removal particularly in the vicinity of the northeast corner of the intersection so as to improve the visibility at this particular intersection.
 CARRIED UNANIMOUSLY

9. A Serson Re: Letter of Thanks

- a) Email correspondence dated August 27, 2005 from Ada Serson, 980 Creekside Court Re: Letter of Thanks.

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

The correspondence was received for information without a motion.

10. Correspondence from B Haugen-Dekkers

- a) Correspondence dated August 31, 2005 from Beth Haugen-Dekkers, 1158 Clarke Road Re: Brentwood Bay Traffic Corridor Revitalization Project, August 31, 2005;
b) Correspondence dated August 31, 2005 Re: Proposed Amendments to Council Procedure Bylaw and Guide to Procedures at Committee Meetings; and
c) Correspondence dated September 2, 2005 Re: Proposed Amendments to Council Procedure Bylaw.

Ms. Beth Haugen-Dekkers, 1158 Clarke Road, was in attendance at the meeting and briefly overviewed the contents of her correspondence with respect to the Brentwood Bay Traffic Corridor Revitalization Project.

The correspondence pertaining to the Brentwood Bay Traffic Corridor Revitalization Project was received for information without a motion.

Ms. Haugen-Dekkers then addressed her correspondence pertaining to the proposed amendments to the Council Procedure Bylaw, and presented to Council a further letter dated September 6, 2005 to supplement her previous correspondence in regards to this issue.

- 1042.05 MOVED BY COUNCILLOR KING
 SECONDED BY COUNCILLOR THOMPSON
That the correspondence pertaining to the proposed amendments to the Council Procedure Bylaw and Guide to Procedures at Committee Meetings be received, and this letter together with the late correspondence handed out by Ms. Haugen-Dekkers at the Council Meeting be placed on the appropriate Council Meeting agenda when the proposed Council Procedure Bylaw Amendment Bylaw is considered for third reading by Council.
 CARRIED UNANIMOUSLY

- 1043.05 MOVED BY COUNCILLOR THOMPSON
 SECONDED BY COUNCILLOR MASON
That the order of agenda for the September 6th, 2005 Special (Open) Council Meeting be amended to consider the West Saanich School Project immediately preceding "Reports of Committees".
 CARRIED UNANIMOUSLY

11. West Saanich School Project (7130 West Saanich Road) - Status/ Update

- a) Staff Memorandum dated September 1, 2005 from Bonnie McKenzie, Manager of Community Services Re: West Saanich School Project (7130 West Saanich Road).

The Administrator introduced the Staff Memorandum entitled "West Saanich School Project (7130 West Saanich Road)" and gave an overview of the various recommendations contained within the Memorandum. He referred to five high-priority items noted on Page 2 of the report (i.e. installation of gutters, temporary weather proofing, seismic upgrading, weatherproofing/retention/replacement of

existing windows, and Building/Fire Code upgrades). Mr. Nason advised that the Brentwood Bay Old School Hall Society is seeking immediate direction on the installation of gutters and fascia boards.

Mr. Jonathan Yardley, Architect, advised that he was recently requested by the District to make observations and recommendations in regards to the work that has been undertaken on the West Saanich School. He overviewed the highlights of his recent reports on the West Saanich School Project, and stated that although some good work has been undertaken to the building, much of the work has contributed to the loss of its heritage value. He provided brief comments in regards to the "renovation" or "restoration" of the West Saanich School. Mr. Yardley noted that the vinyl windows which were recently installed do not meet heritage value, and suggested that replicas of the original windows be considered.

Council had a lengthy question and answer session with Mr. Yardley, which included a discussion on restoration costs, a replication of the original windows, and the heritage designation and value of the building.

Mr. Wayne Watkins, representing the Brentwood Bay Old School Hall Society, thanked Mr. Yardley for his comments on the work that has been undertaken to date on the West Saanich School, and advised Council that the Society wants to provide functional space for local organizations. Mr. Watkins advised that the Society feels that the issue of gutters should be decided soon as the rainy season is quickly approaching, and requested that Council give consideration to endorsing the recommendations that are contained in the Staff Memorandum.

- 1044.05 MOVED BY COUNCILLOR MASON
 SECONDED BY COUNCILLOR GRAHAM
That the Staff Memorandum dated September 1, 2005 entitled "West Saanich School Project (7130 West Saanich Road) – Status/Update" and attached Appendix "A" and "B" submissions from Jonathan Yardley, Architect, be received for information, and the Brentwood Bay Old School Hall Society (BBOSHS) be authorized to proceed with the procurement and installation of galvanized iron profiled gutters and downpipes as per the recommendation of the Yardley Report and Appendix "B" submission, as well as with installation of temporary weather-proofing (roofing paper affixed with wooden battens) on the south wall and other exposed areas as deemed necessary, as also recommended by Mr. Yardley in his Appendix "B" submission.
 CARRIED UNANIMOUSLY
- 1045.05 MOVED BY COUNCILLOR THOMPSON
 SECONDED BY COUNCILLOR KING
That Council endorse the short term recommendations and actions as contained in Sections 1 and 2 of Appendix "A", with the exception of Items 2.2 and 2.4 to be further considered in conjunction with the various recommendations contained in Appendix "B".
 CARRIED UNANIMOUSLY
- 1046.05 MOVED BY COUNCILLOR THOMPSON
 SECONDED BY COUNCILLOR HADDON
That Council reconfirm its intent and expectation that the restoration of the West Saanich School will be undertaken consistent with the recommendations contained in the (March 2000) "West Saanich School Brentwood Bay Restoration Feasibility Study" and the most recent Appendix "B" submission from Mr. Yardley dated August 31, 2005.
 CARRIED UNANIMOUSLY
- 1047.05 MOVED BY COUNCILLOR THOMPSON
 SECONDED BY COUNCILLOR GRAHAM
That the recommendations contained in Section 5 of Mr. Yardley's Appendix "B" submission be referred to Staff for review and recommendation to Council, after further consultation with the Architect, the BBOSHS, the Central Saanich Heritage Commission, and other technical resources as may be required.

BEFORE THE QUESTION WAS CALLED, it was

1048.05 AMENDMENT
MOVED BY COUNCILLOR THOMPSON
SECONDED BY COUNCILLOR HADDON

That the foregoing motion be amended to include the following:

“, and Staff be further requested to provide recommendations and/or advice in regards to the engagement of external third party professional expertise and oversight to assist in further implementation of the restoration project.

THE QUESTION WAS CALLED ON THE AMENDING MOTION
THE AMENDING MOTION CARRIED UNANIMOUSLY

THE QUESTION WAS CALLED ON THE MAIN MOTION, AS AMENDED
THE MAIN MOTION AS AMENDED CARRIED UNANIMOUSLY

Mr. Don Chambers, a member of the Central Saanich Heritage Commission, commended Council on hiring Mr. Jonathan Yardley to guide this restoration project.

REPORTS OF COMMITTEES:

Standing Committees: None.

Advisory Committees: None.

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

1. **Capital Regional District (CRD)** – None.
2. **Peninsula Recreation Commission (PRC)** – None.
3. **BC Transit Launch of Community Bus Service** – Councillor King provided a brief verbal report on the launch of the BC Transit Community Bus Service which took place earlier today in Brentwood Bay. He advised that the launch was attended by Paul Sam of the Tsartlip First Nation and by Ed Mitchell of the Pauquachin First Nation, and gave thanks to Councillor Mason, The Brentwood Gallery and Breadstuffs Bakery for their participation and assistance with this event.
4. **Parks Update** – Councillor Haddon provided a brief verbal report on the following Park project:
Newman Farm
 - the paper conservation volunteers of the Newman Farm Working Group have begun cataloguing objects for future reference;
 - the Newman Farm Project was displayed at the Saanich Fair, with hundreds of visitors stopping by the booth to learn about this heritage park, share memories and offer their support;
 - the District and the Newman Farm Working Group's intention was to raise general awareness of the Park and the ongoing efforts for its preservation and restoration.
5. **Peninsula Agricultural Commission** – Councillor Thompson noted that the Peninsula Agricultural Commission will be meeting on September 15th, 2005.
6. **Chamber of Commerce** – Councillor Thompson briefly reported on his attendance at a recent Chamber of Commerce Meeting.

STAFF MEMORANDUM AND REPORTS:

1. **Recommended Remedial Action Resolutions**
 - a) **#12 – 6782 Veyaness Road, Second Floor Constructed Without Permits**
 - i) Staff Memorandum dated August 16, 2005 from Roy Thomassen, Chief Building Inspector Re: #12 – 6782 Veyaness Road, Second Floor Constructed Without Permits.

The Chief Building Inspector, Mr. Roy Thomassen, overviewed the Staff Memorandum in regards to the Recommended Remedial Action Resolution for property located at #12 – 6782 Veyaness Road (Second Floor Constructed Without Permits), and responded to questions from members of Council.

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

In discussion around the table, it was suggested that the October 30th, 2005 date as recommended by Staff be extended to December 31st, 2005.

1049.05

MOVED BY COUNCILLOR GRAHAM
SECONDED BY COUNCILLOR MASON

That the Staff Memorandum dated August 16, 2005 entitled “Remedial Action for Second Floor Constructed Without Permits at #12 – 6782 Veyaness Road” be received, and the Council of the District of Central Saanich pass the following resolution regarding land legally described as Strata Lot 12, Section 13, Range 3 East, South Saanich District, Strata Plan VIS3235, Together With an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as shown on Form 1, PID: 018-850-707, having a civic address of #12 – 6782 Veyaness Road (the “Property”):

- A. *In accordance with the Community Charter, sections 72(1)(a) and 72(2)(b)(i) and sections 73(1)(a), 73(2)(a) and 73(2)(b), the owner of the Property be required to:*
- 1. engage an engineer or architect to prepare and seal construction drawings for the work required to bring the building, and in particular the second floor construction, into full compliance with the health and safety standards of the BC Building Code 1998; and*
 - 2. obtain the required building permit and carry out the remedial work which has been identified by the engineer or architect by December 31, 2005, obtaining all inspections required by the Building Bylaw;*
- B. *If the owner fails to carry out the remedial work by December 31, 2005, then in accordance with section 77(3)(b) of the Community Charter, the Municipality take the actions described in section A of this 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

b) 6863 Veyaness Road, Building Use Change and Construction Without Permits

- i) Staff Memorandum dated August 16, 2005 from Roy Thomassen, Chief Building Inspector Re: Remedial Action for Building Use Change and Construction Without Permits at 6863 Veyaness Road.

The Chief Building Inspector gave an overview of the Staff Memorandum in regards to the Recommended Remedial Action Resolution for property located at 6863 Veyaness Road (Building Use Change and Construction Without Permits), and responded to questions from members of Council.

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

1050.05

MOVED BY COUNCILLOR GRAHAM
SECONDED BY COUNCILLOR KING

That the Staff Memorandum dated August 16, 2005 entitled “Remedial Action for Building Use Change and Construction Without Permits, 6863 Veyaness Road” be received, and the Council of the District of Central Saanich pass the following resolution regarding land legally described as that Part of Lot 2, Section 13, Range 3 East, South Saanich District, Plan 2974, Lying to the North of a Boundary Parallel to the Northerly Boundary of Said Lot and Perpendicularly Distant 130 Feet, PID: 006-214-274, having a civic address of 6863 Veyaness Road (the “Property”):

- A. In accordance with the Community Charter, sections 72(1)(a) and 72(2)(b)(iii) and sections 73(1)(a), 73(2)(a) and 73(2)(b), the owner of the Property be required to:
1. engage a designer to provide to the owner and the Building Inspector a complete set of drawings for the entire property outlining the proposed new use and development of the property. The owner is to make application for a Development Permit through the Planning and Building Services Department by January 30, 2006;
 2. engage the designer to prepare construction drawings for the work required to bring the building into full compliance with the health and safety standards of the Building Code 1998; and
 3. obtain the required building and plumbing permits and carry out the remedial work which has been identified by the designer by January 30, 2006, obtaining all inspections required by the Building Bylaw;
- B. If the owner fails to carry out the remedial work by January 30, 2006, then in accordance with section 77(3)(b) of the Community Charter, the Municipality take the actions described in section A of this 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

Due to a potential conflict of interest on the following item, Councillor Mason took her leave from the meeting at 9:10 pm. Councillor Mason stated that she has a business relationship with Mr. Doug Schuetze.

c) 1820 Stelly's Cross Road, Unauthorized Second Dwelling Located in Barn Building (Douglas and Valerie Schuetze)

- i) Staff Memorandum dated August 16, 2005 from Roy Thomassen, Chief Building Inspector Re: Unauthorized Second Dwelling Located in Barn Building at 1820 Stelly's Cross Road (Douglas and Valerie Schuetze).

The Chief Building Inspector gave an overview of the Staff Memorandum in regards to the Recommended Remedial Action Resolution for property located at 1820 Stelly's Cross Road (Unauthorized Second Dwelling Located in Barn Building), and responded to questions from members of Council.

Mr. Doug Schuetze, 1820 Stelly's Cross Road, advised that the additional dwelling unit is in the garage building, not the barn structure as noted in the Staff Memorandum. He stated that the additional dwelling unit does not present any health or life safety issues as the renovations were completed to BC Building Code standards. Mr. Schuetze questioned if Staff were proceeding on complaints against his property, and requested that this matter not proceed as he does not feel that Staff should have been entering his property without a valid reason or explanation. In closing, Mr. Schuetze requested that Council reconsider this matter because of the heritage value and character of the residence and buildings on his property.

In discussion around the table, it was suggested that the October 30th, 2005 date as recommended by Staff be extended to November 30th, 2005.

1051.05 MOVED BY COUNCILLOR KING
SECONDED BY COUNCILLOR KOROL

That the Staff Memorandum dated August 16, 2005 entitled "Unauthorized Second Dwelling Located in Barn Building at 1820 Stelly's Cross Road (Douglas and Valerie Schuetze)" be received, and the Council of the District of Central Saanich pass the following resolution regarding land legally described as Lot A, Section 9, Range 2 East, South Saanich District, Plan VIP64692, PID: 023-654-589, having a civic address of 1820 Stelly's Cross Road (the "Property"):

- A. *In accordance with the Community Charter, sections 72(1)(a) and 72(2)(b)(i) and sections 73(1)(a), 73(2)(a) and 73(2)(b), the owner of the Property be required to:*
1. *deposit with the District of Central Saanich detailed floor plans showing removal of the kitchen and bathroom from the second floor area of the barn structure through building permit applications;*
 2. *obtain the required building and plumbing permits and carry out the remedial work which has been identified on the permits by November 30, 2005, obtaining all inspections required by the Building Bylaw;*
- B. *If the owner fails to carry out the remedial work by November 30, 2005, then in accordance with section 77(3)(b) of the Community Charter, the Municipality take the actions described in section A of this 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
OPPOSED: COUNCILLOR GRAHAM

- 1052.05 MOVED BY COUNCILLOR THOMPSON
 SECONDED BY COUNCILLOR HADDON
That Staff be requested to provide appropriate advice as to the District's authority to legalize and permit, through an appropriate Agreement under the Heritage Conservation Part of the Local Government Act, the currently unauthorized second dwelling which is located in the barn/garage building on the subject property.
CARRIED UNANIMOUSLY

Councillor Mason returned to the meeting at 9:25 pm.

d) 1570 McHattie Road, Dwelling Constructed in Accessory Barn

- i) Staff Memorandum dated August 16, 2005 from Roy Thomassen, Chief Building Inspector Re: Notice on Title and Remedial Action for Dwelling Constructed in an Accessory Barn, 1570 McHattie Road.

The Chief Building Inspector gave an overview of the Staff Memorandum in regards to the Recommended Remedial Action Resolution for property located at 1570 McHattie Road (Dwelling Constructed in Accessory Barn), and responded to questions from members of Council.

Ms. Sarah Ter Mul, 1570 McHattie Road, advised Council that the rooms in the accessory building existed before she and her husband purchased the property, and requested that Council consider postponing a decision on this issue.

- 1053.05 MOVED BY COUNCILLOR KING
 SECONDED BY COUNCILLOR KOROL
That the Staff Memorandum dated August 16, 2005 entitled "Notice on Title and Remedial Action for Dwelling Constructed in an Accessory Barn, 1570 McHattie Road" be received, and the Council of the District of Central Saanich pass the following resolution regarding land legally described as Lot 9, Section 14, Range 1 East, South Saanich District, Plan 1423, PID: 007-538-936, having a civic address of 1570 McHattie Road (the "Property"):

- A. *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, and that further information respecting the Resolution may be inspected at the office of the Municipal Building Inspection Division during regular office hours; and*
- B. *In accordance with the Community Charter, sections 72(1)(a) and 72(2)(b)(i) and sections 73(1)(a), 73(2)(a) and 73(2)(b), the owner of the Property be required to:*

The Manager of Community Services, Ms. Bonnie McKenzie, gave a brief overview of the Staff Memorandum pertaining to the proposed 2005 Parks Reservation Questionnaire.

- 1056.05 MOVED BY COUNCILLOR THOMPSON
 SECONDED BY COUNCILLOR HADDON
 That the Staff Memorandum dated August 26, 2005 entitled "2005 Parks Reservation Questionnaire" be received for information and Council endorse the questionnaire in the form as attached, and Staff be authorized to proceed with the next steps in the process.
 CARRIED UNANIMOUSLY

6. "Woodward" and "Tanner" Park – Public Consultation Process

- a) Staff Memorandum dated August 30, 2005 from Bonnie McKenzie, Manager of Community Services Re: "Woodward" and "Tanner" Parks – Public Consultation Process.

The Manager of Community Services addressed the contents of the Staff Memorandum pertaining to the proposed public consultation process for Woodward and Tanner Parks, and responded to several questions from members of Council.

- 1057.05 MOVED BY COUNCILLOR HADDON
 SECONDED BY COUNCILLOR THOMPSON
 That the Staff Memorandum dated August 30, 2005 entitled "Woodward and Tanner Parks – Public Consultation Process" be received for information and Council endorse the proposed survey questionnaires in the form as attached, with the addition of appropriate information or language on possible ways that individuals may contribute to their local park, and Staff be authorized to proceed with the next steps in the process.
 CARRIED UNANIMOUSLY

7. Finance Department (First and Second Quarter) 2005 Quarterly Reports

- a) 2005 Quarterly Reports (1st and 2nd Quarters) from the Finance Department.

- 1058.05 MOVED BY COUNCILLOR THOMPSON
 SECONDED BY COUNCILLOR MASON
 That the 2005 First and Second Quarterly Reports from the Finance Department be received for information and the contents noted.
 CARRIED UNANIMOUSLY

BYLAWS:

- 1. "Central Saanich Land Use Bylaw Amendment Bylaw No. 1530, 2005"** [To Rezone Property Located at 7088 West Saanich Road from Service Station Commercial (C4) to Comprehensive Development Zone 2 (CD-2) (Carriage Pointe)]

- 1059.05 MOVED BY COUNCILLOR GRAHAM
 SECONDED BY COUNCILLOR THOMPSON
 That Bylaw No. 1530, cited as "Central Saanich Land Use Bylaw Amendment Bylaw No. 1530, 2005" be given third reading.
 CARRIED
 OPPOSED: COUNCILLOR KING

- 2. "Central Saanich Housing Agreement Bylaw No. 1532, 2005"** [To Authorize the District to enter into a Housing Agreement for Property Located at 7088 West Saanich Road]

- 1060.05 MOVED BY COUNCILLOR HADDON
 SECONDED BY COUNCILLOR GRAHAM
 That Bylaw No. 1532, cited as "Central Saanich Housing Agreement Bylaw No. 1532, 2005" be authorized to receive three readings at the same meeting.
 CARRIED UNANIMOUSLY

- 1061.05 MOVED BY COUNCILLOR HADDON
 SECONDED BY COUNCILLOR GRAHAM
That Bylaw No. 1532 cited as "Central Saanich Housing Agreement Bylaw No. 1532, 2005" be given first reading.
 CARRIED UNANIMOUSLY
- 1062.05 MOVED BY COUNCILLOR HADDON
 SECONDED BY COUNCILLOR GRAHAM
That Bylaw No. 1532 be given second reading.
 CARRIED UNANIMOUSLY
- 1063.05 MOVED BY COUNCILLOR HADDON
 SECONDED BY COUNCILLOR GRAHAM
That Bylaw No. 1532 be given third reading.
 CARRIED UNANIMOUSLY

Councillor Haddon took her leave from the meeting at 10:00 pm.

UNFINISHED BUSINESS:

1. Addendum to Gravel Extraction Agreement with Butler Brothers Supplies Ltd. – Extension of Term to 2017

- a) Draft Addendum to Gravel Extraction Agreement with Butler Brothers Supplies Ltd. to Extend the Term of the Agreement to 2017.

The Administrator provided a brief overview of the proposed draft addendum to the Gravel Extraction Agreement with Butler Brothers to extend the term of the current agreement to 2017.

- 1064.05 MOVED BY COUNCILLOR KOROL
 SECONDED BY COUNCILLOR THOMPSON
That Council approve the Addendum to the Gravel Extraction Agreement, in the form as set out in the agenda, to extend the term of the Agreement to 2017 rather than 2011, and authorize its execution by the appropriate signing officers of the Municipality.
 CARRIED UNANIMOUSLY

NEW BUSINESS/OTHER COMPETENT BUSINESS:

1. Committee Meeting in Lieu of October 10th, 2005 (Thanksgiving Day) Meeting Night

The Administrator suggested that, due to the cancellation of the September 26th and October 11th, 2005 Regular Committee Meetings (due to the UBCM Convention and Thanksgiving Day, respectively), Council give consideration to scheduling a Special Committee Meeting on Tuesday, October 11th, 2005 at 7:00 pm.

- 1065.05 MOVED BY COUNCILLOR THOMPSON
 SECONDED BY COUNCILLOR KOROL
That Council schedule a Special Meeting of Committees to be held on Tuesday, October 11, 2005 commencing at 7:00 pm.
 CARRIED UNANIMOUSLY

2. Proposed Presentation of Draft Central Saanich Compensation Review Report

The Administrator suggested that, subject to the Consultant's availability, an In Camera Special Council Meeting be scheduled at 5:00 pm on September 19th, 2005 for the purpose of receiving a presentation on the District's Compensation Review Report, and further suggested that the Joint Council/Police Board Meeting which had been scheduled for September 19th be re-scheduled to October 24th, 2005.

- 1066.05 MOVED BY COUNCILLOR MASON
 SECONDED BY COUNCILLOR GRAHAM
That subject to the availability of the Consultant and the completion of any required further steps in the process, an In Camera Special Council Meeting be held commencing at 5:00 pm on September 19, 2005 for the purposes of receiving an informational presentation from the Consultant on the draft Central Saanich Compensation Review Report.
 CARRIED UNANIMOUSLY

3. Joint Council/Police Board Meeting

- 1067.05 MOVED BY COUNCILLOR THOMPSON
 SECONDED BY COUNCILLOR GRAHAM
That the next Joint Council/Police Board Meeting which was previously scheduled for September 19, 2005 be rescheduled to October 24, 2005 commencing at 6:00 pm.
 CARRIED UNANIMOUSLY

4. Calendar of Meetings (September 2005)

The Calendar of Meetings for September 2005 was received for information without a motion.

CORRESPONDENCE (Receive for General Information):

1. **Community Social Planning Council of Greater Victoria Re: AGM on September 23, 2005 and Achievements of the Past Year** – Correspondence dated July 29, 2005 from Kevin Warren, President of the Board of Directors – Community Social Planning Council of Greater Victoria Re: AGM on September 23, 2005 and Achievements of the Past Year;
 2. **Bear Smart Re: Bear Smart Community Program**- Correspondence dated August 8, 2005 from Cyril Chan, Bear Smart Re: Bear Smart Community Program;
 3. **Indian and Northern Affairs Canada Re: First Nation/Private Sector Partnerships in BC** – Correspondence dated August 10, 2005 from Bill Guerin, Acting Director – Economic Development and Business Partnerships – Indian and Northern Affairs Canada Re: First Nation/Private Sector Partnerships in BC;
 4. **British Columbia Buildings Corporation (BCBC) Re: Future Status of BCBC** – Correspondence dated August 10, 2005 from Martin Taylor, Account Executive – British Columbia Buildings Corporation (BCBC) Re: Future Status of BCBC;
 5. **T & K Sears Re: Non-Smoking Policies for Public Areas** – Email correspondence dated August 11, 2005 from Tamara and Karl Sears, 8585 Cathedral Place Re: Non-Smoking Policies for Public Areas;
- 1068.05 MOVED BY COUNCILLOR GRAHAM
 SECONDED BY COUNCILLOR KING
That the correspondence be received, and a copy be forwarded to the Vancouver Island Health Authority for its information.
 CARRIED UNANIMOUSLY
6. **Ministry of Community Services and Minister Responsible for Seniors' and Women's Issues Re: Population Estimates in the Calculation of Small Community Protection Grants** – Correspondence dated August 11, 2005 from Minister Ida Chong, Ministry of Community Services and Minister Responsible for Seniors' and Women's Issues Re: Population Estimates in the Calculation of Small Community Protection Grants;
 7. **Capital Region Emergency Services Telecommunications (CREST) Re: CREST Independent Review of Operations – Project Update** – Correspondence dated August 11, 2005 from Ron Cullis, General Manager – Capital Region Emergency Services Telecommunications (CREST) Re: CREST Independent Review of Operations – Project Update;

8. **Capital Regional District (CRD) Environmental Services Re: Change of Recycling Collection Day** – Correspondence dated August 11, 2005 from Alan Summers, CRD Environmental Services Re: Change of Recycling Collection Day;
 9. **Provincial Health Services Authority Re: “Steps Forward in Research” Report** – Correspondence dated August 12, 2005 from Wynne Powell, Chair – Provincial Health Services Authority Re: “Steps Forward in Research” Report;
 10. **BC Hydro Re: Attendance at 2005 UBCM Convention** – Correspondence dated August 12, 2005 from Ted Olynyk, Community Relations Manager – BC Hydro Re: Attendance at 2005 UBCM Convention;
 11. **Community Arts Council of the Saanich Peninsula Re: Letter of Thanks for 2005 Grant-in-Aid** – Correspondence dated August 12, 2005 from Janice Cook, Administrator – Community Arts Council of the Saanich Peninsula Re: Letter of Thanks for 2005 Grant-in-Aid;
 12. **D Alderson, Federation of Canadian Municipalities (FCM) Re: Land Management Workshop for First Nations and Municipal Governments, September 14, 2005** – Email correspondence dated August 17, 2005 from Dallas Alderson, Federation of Canadian Municipalities (FCM) Re: Land Management Workshop for First Nations and Municipal Governments on September 14, 2005;
 13. **Western Canada Wilderness Committee and Labour Environmental Alliance Society Re: “Turning the Tide – Protecting Our Health and the Marine Environment From Toxic Pollution” Report** – Correspondence dated August 17, 2005 from Andrea Reimer, Western Canada Wilderness Committee and from Mae Burrows, Labour Environmental Alliance Society Re: “Turning the Tide – Protecting Our Health and the Marine Environment from Toxic Pollution” Report;
 14. **British Columbia Transplant Society Re: Proposed Greater Victoria Organ Donation Week** – Correspondence dated August 19, 2005 from Ken Donohue, BC Transplant Society Re: Proposed Greater Victoria Organ Donation Week;
 15. **J Frankish Re: BC Homelessness and Health Research Network’s Proposal to Address Homelessness in the Region** – Email correspondence dated August 22, 2005 from Dr. Jim Frankish Re: Homelessness and Health Research Network’s Proposal to Address Homelessness in the Region;
 16. **BC Hydro Re: Electric Beautification Projects** – Correspondence dated August 22, 2005 from Tom Burns, BC Hydro Re: Electric Beautification Projects;
- 1069.05 MOVED BY COUNCILLOR MASON
 SECONDED BY COUNCILLOR KOROL
 That the correspondence be received, and Staff be authorized, if deemed appropriate and feasible, to submit a grant application for 2006 for the Brentwood Bay Traffic Corridor Revitalization Project.
 CARRIED UNANIMOUSLY
17. **BC Transit Re: “Victoria Regional Transit – A Plan for Action” Pamphlet**- Correspondence dated August 24, 2005 from Mayor Don Amos, Chair – Victoria Regional Transit Commission Re: “Victoria Regional Transit – A Plan for Action” Pamphlet;
 18. **Boys and Girls Clubs of Greater Victoria Foundation Re: 2004/2005 Annual Report** – Correspondence dated August 22, 2005 from David Curtis and Allan Mactier, Boys and Girls Clubs of Greater Victoria Foundation Re: 2004/2005 Annual Report;
 19. **Copy of Correspondence Addressed to Minister of Education from Regional District of Kitimat – Stikine Re: Provincial Funding of School Districts** – Copy of correspondence dated August 15, 2005 from Jack Talstra, Chair – Regional District of Kitimat – Stikine to Minister Shirley Bond, Ministry of Education Re: Provincial Funding of School Districts;

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20. **Copy of Correspondence Addressed to Mr. & Mrs. K. Fox Re: Request for Reconsideration of Application to Fill a Portion of Property** – Copy of correspondence dated August 25, 2005 from Erik Karlsen, Chair – Agricultural Land Commission to Ken and Wendy Fox, 7117 Central Saanich Road Re: Request for Reconsideration of Application to Fill a Portion of Property;
 21. **British Columbia and Yukon Chamber of Mines Re: “Mineral Exploration, Mining and Aboriginal Community Engagement” Guidebook** – Correspondence dated August 22, 2005 from Dan Jepsen, Executive Director and CEO – British Columbia and Yukon Chamber of Mines Re: “Mineral Exploration, Mining and Aboriginal Community Engagement” Guidebook;
 22. **Correspondence from the Union of BC Municipalities:**
 - a) Memorandum dated August 15, 2005 Re: Community Health Promotion – Pilot Projects Request for Expressions of Interest;
 23. **Capital Regional District Board** – Minutes of the CRD Board and Hospital Board Meetings held on August 10, 2005;

1070.05 MOVED BY COUNCILLOR MASON
 SECONDED BY COUNCILLOR GRAHAM
 That the above Item Nos. 1 to 23 be received for information and the contents noted.
 CARRIED UNANIMOUSLY

ADJOURNMENT:

On motion, the Special (Open) Council Meeting held on September 6, 2005 adjourned at 10:16 pm.

Recorded by: Trish Flanders
 Municipal Clerk