

MINUTES OF THE COUNCIL MEETING
HELD IN THE COUNCIL CHAMBERS
SAANICH MUNICIPAL HALL, 770 VERNON AVENUE
MONDAY, AUGUST 9, 2004 AT 7:30 P.M.

Present:

Chair: Mayor Leonard
Council: Councillors Brownoff, Cubberley, Derman, Gillespie, Ngai, Pickup, Wade and Wergeland (7:45pm)
Staff: Tim Wood, Municipal Administrator; Russ Fuoco, Director of Planning; Peter Sparanese, Manager of Capital Works; Margaret Trottier, Deputy Municipal Clerk; and Carolyn Bonnick, Senior Committee Clerk.

Minutes

ADOPTION OF MINUTES

MOVED by Councillor Gillespie and Seconded by Councillor Brownoff: "That the Minutes of the Council and Committee of the Whole Meetings held July 19, 2004, and the Minutes of the Special Council meeting held July 20, 2004, be adopted."

CARRIED

No. 279
Cadboro Bay Road
Bylaw 8581

LAND USE CONTRACT DISCHARGE BYLAW (3849 CADBORO BAY ROAD)

Final Reading of the "Land Use Contract Discharge Bylaw, 2004, No. 8581" and approval of Development Permit DPR2004-00001 subject to the replacement of the existing slab sidewalk on Penrhyn Street with a continuous concrete sidewalk built to municipal standards. To discharge the Land Use Contract to accommodate a café and office use consistent with the underlying zone C-2 (general commercial).

MOVED by Councillor Derman and Seconded by Councillor Gillespie: "That Bylaw No. 8581 be adopted by Council and the Seal of the Corporation be attached thereto."

Councillor Brownoff stated:

S She would like staff to ensure that the municipal portion of the construction is done at the same time as the developer's portion to minimize disruption to the neighbourhood.

The Manager of Capital Works stated:

S The funds for the construction are identified in the 2005 budget and be done in conjunction with the developer next year.

The Motion was then Put and CARRIED

MOVED by Councillor Brownoff and Seconded by Councillor Derman: "That Council approve and issue Development Permit DPR2004-00001 on Lot 1, Section 44, Victoria District, Plan 8197 (3849 Cadboro Bay Road) subject to the replacement of the existing slab sidewalk on Penrhyn Street with a continuous concrete sidewalk built to municipal standards."

CARRIED

No. 280
PLD55
Bylaw 8574

3497 SAANICH ROAD AND 850/860/880/3482 SHORT STREET.
Final Reading of the "Official Community Plan Bylaw, 1993, Amendment Bylaw, 2004, No. 8574". To amend the Saanich Core Local Area Plan to designate the property as potential multi-family and amend the Short Street Action Plan.

MOVED by Councillor Pickup and Seconded by Councillor Wade: "That Bylaw No. 8574 be adopted by Council and the Seal of the Corporation be attached thereto."

CARRIED

No. 281
Saanich Road/
Short Street
Bylaw 8575

3497 SAANICH ROAD AND 850/860/880/3482 SHORT STREET.
Final Reading of the "Zoning Bylaw, 2003, Amendment Bylaw, 2004, No. 8575", **rescindment of Development Permit DPR2002-00043 and approval of Development Permit DPR2003-00028.** Rezoning from C-5 and RS-6 to C-5.

MOVED by Councillor Brownoff and Seconded by Councillor Gillespie: "That Bylaw No. 8575 be adopted by Council and the Seal of the Corporation be attached thereto."

CARRIED

MOVED by Councillor Pickup and Seconded by Councillor Gillespie: "That Council rescind Development Permit DPR2002-00043 on Lot A, Section 7, Victoria District, Plan VIP77084 (3497 Saanich Road and 850/860/880/3482 Short Street)."

CARRIED

MOVED by Councillor Pickup and Seconded by Councillor Gillespie: "That Council approve and issue Development Permit DPR2003-00028 Lot A, Section 7, Victoria District, Plan VIP77084 (3497 Saanich Road and 850/860/880/3482 Short Street)."

CARRIED

No. 282
Saanich Road/
Short Street
Bylaw 8566

ROAD REOPENING BYLAW (SHORT STREET).
Final Reading of the "Road Reopening Bylaw, 2004 (Short Street), No. 8566". To reopen a portion of Short Street.

MOVED by Councillor Derman and Seconded by Councillor Brownoff: "That Bylaw No. 8566 be adopted by Council and the Seal of the Corporation be attached thereto."

CARRIED

No. 283
EPW65
XRef: Glyn Road
Bylaw 8583

SEWER ENTERPRISE BOUNDARY EXTENSION BYLAW (A PORTION OF 1222 GLYN ROAD).
First Three Readings of the "Sewer Enterprise Boundary Extension Bylaw, 2004, No. 8583". To include a portion of 1222 Glyn Road within the Sewer Enterprise Boundary.

MOVED by Councillor Cubberley and Seconded by Councillor Ngai: "That Bylaw No. 8583 be introduced and read."

CARRIED

**MOVED by Councillor Cubberley and Seconded by Councillor Ngai:
“That Bylaw No. 8583 be read a second time.”**

CARRIED

**MOVED by Councillor Cubberley and Seconded by Councillor Ngai:
“That Bylaw No. 8583 be now passed.”**

CARRIED

No. 284
ADM40
Bylaw 8585

**ZONING BYLAW AMENDMENT - PROPOSED NEW BED AND
BREAKFAST REGULATIONS.**

First Reading of the “Zoning Bylaw, 2003, Amendment Bylaw, 2004, No. 8585”. To allow Bed and Breakfast accommodation in accessory or agricultural buildings on parcels located within the Agricultural Land Reserve and have “farm status” as determined by the BC Assessment Authority.

**MOVED by Councillor Gillespie and Seconded by Councillor Wade:
“That Bylaw No. 8585 be introduced and read.”**

CARRIED

RESOLUTIONS FOR ADOPTION

No. 285
ADM40
xref: PRO00
Inspection of
Premises

INSPECTION OF PREMISES - FIRE SERVICES ACT.

Report of the Fire Chief dated July 23, 2004 recommending Council request the Municipal Solicitor prepare a bylaw that permits the Fire Chief to determine the inspection frequency for hotels and public buildings within the Municipality, and that Council Policy 09/CW entitled “Fire Department - Frequency of Inspections” be rescinded upon the establishment of a new inspection schedule by the Fire Chief.

**MOVED by Councillor Pickup and Seconded by Councillor Gillespie:
“That:**

- 1. Council request the Municipal Solicitor to prepare a bylaw that permits the Fire Chief to determine the inspection frequency for hotels and public buildings within the Municipality; and**
- 2. Council Policy 09/CW entitled “Fire Department - Frequency of Inspections” be rescinded upon the establishment of a new inspection schedule by the Fire Chief.**

CARRIED

Adjournment

On a motion from Councillor Gillespie, the meeting adjourned at 7:35 p.m.

The Meeting reconvened at 8:23 p.m.

From the Committee of the Whole Meeting held August 9, 2004.

No. 286
Wilkinson Road
Development
Variance Permit

3977, 3981 AND 4025 WILKINSON ROAD - DEVELOPMENT VARIANCE PERMIT - MERDYN DEVELOPMENT GROUP

MOVED by Councillor Pickup and Seconded by Councillor Gillespie: "That Council approve and issue Development Variance Permit No. DVP2004-00002 on Lots 2 and 1, Section 16, Victoria District, Plan 11442 and Lot 5, Section 5, Lake District, Plan 411 except Part in Plan VIP76992 (3977/3981/4025 Wilkinson Road)."

CARRIED

No. 287
FIN45
Budget Guidelines

2005 BUDGET GUIDELINES

MOVED by Councillor Gillespie and Seconded by Councillor Wergeland: "That the 2005 budget submission be prepared with as minimal an increase over 2004 as is considered prudent, and that departmental submissions adhere to the following guidelines:

- 1. 2005 departmental net budget totals be limited to a 1.5 percent increase over the 2004 adopted net budget totals, exclusive of personnel costs, capital expenditures and non-recurring expenditures;**
- 2. Personnel costs be calculated based on 2005 rates and any established positions which were not filled in the last 12 months will be excluded;**
- 3. Capital expenditures funded from current revenue must not exceed the 2005 'Current Revenue' totals in the Five Year Financial Plan; and**
- 4. Resource requests for additional funds to sustain established service levels or for additional non-essential operating and capital expenditures should be separately identified, including a full explanation and link to the current Corporate Plan."**

CARRIED

No. 288
PQS100
RFP 16/04 -
Cordova Bay
Community Centre
Project

REQUEST FOR PROPOSAL 16/04 - CONSTRUCTION MANAGEMENT SERVICES - CORDOVA BAY COMMUNITY CENTRE PROJECT

MOVED by Councillor Wergeland and Seconded by Councillor Cubberley: "That Tender No. 16/04 for the construction management services for the Cordova Bay Community Centre Project be awarded to Farmer Construction in the amount of \$82,500."

CARRIED

No. 289
PQS100
Tender 21/04
Installation of Fuel
Tanks and
Dispensing System

TENDER 21/04 - INSTALLATION OF FUEL TANKS AND DISPENSING SYSTEM

MOVED by Councillor Gillespie and Seconded by Councillor Derman:
“That Tender No. 21/04 for the installation of fuel tanks and dispensing system be awarded to Kedco Constructors Limited in the amount of \$174,350.”

In Camera Motion

MOVED by Councillor Pickup and Seconded by Councillor Brownoff:
“That the following Council meeting be closed to the public as the subject matter being considered relates to the proposed acquisition of land and/or improvements.”

CARRIED

Adjournment

On a motion from Councillor Wade, the meeting adjourned at 8:24 p.m.

.....
Mayor

I hereby certify these Minutes are accurate.

.....
Municipal Clerk

In response to a question from Councillor Cubberley, the Municipal Administrator stated:

- S Although the Director of Planning Services' report was not included in Council's information package, it did not contain any new information that was not previously circulated, and he would recommend Council proceed with the application.

In response to questions from Council, the Manager of Capital Works stated:

- S The Geo-Technical Engineer for the development has recommended using a geo-grid technique to stabilize the bank and addressed stability concerns; this information has satisfied staff concerns.

In response to questions from Council, the Director of Planning Services stated:

- S Stability is one of the most significant issues the Approving Officer has to address and all requirements will have to be satisfied before subdivision approval can be given.
- S Through consultation with the Parks Department, the Planning Department recommends the six metre park strip be located at the north end of the site to enlarge the park area; consideration could be given to relocating it to the south side of the development.

Mr. B. Cunnin, applicant, stated:

- S The geo-grid system they are proposing to use to stabilize the bank is a system of baskets which can be laid over a snow-fence like material; the fence essentially disappears after one growing season and provides a natural landscape.
- S They are not opposed to placing the six metre park strip at the south end of the site to provide a larger separation between the development and the southerly neighbour as recommended by the Cordova Bay Association.

Mr. R. Stonebanks, president, Cordova Bay Association, stated:

- S They have had several meetings with the developer who has addressed many of their concerns through a restrictive covenant.
- S They support the use of the geo-grid product as it will provide a natural looking landscape; specific regulations surrounding the geo-grid technique are identified in the restrictive covenant.
- S They have recommended that the six metre park strip be relocated to the south end of the property; it will provide a greater benefit to the community by preserving many trees and creating a wildlife corridor.
- S There is already a path on the north side of the property; if the six metre strip were located next to the trail, it could become an area where youths gather.

**MOTION: MOVED by Councillor Derman and Seconded by Councillor Wergeland:
“That a Public Hearing be called.”**

**Moved by Councillor Derman and Seconded by Councillor Wergeland:
“That the motion be amended to request the Director of Planning
Services consider the applicant’s offer to relocate the six metre wide
park strip to the south end of the property and provide a
supplementary report prior to the Public Hearing.”**

CARRIED

The Main Motion was then Put and CARRIED

Councillor Cubberley stated:

S There are substantial trees at the south end of the property that would be lost if the six metre strip is located at the north end of the property.

Councillor Derman stated:

S This project has come a long way since the original proposal, particularly with the slope.

S The geo-grid technique will provide the appearance of natural landscaping.

S He congratulated the applicant for the consultation process undertaken with the Cordova Bay Association.

Finnerty Road
Rezoning

3898 FINNERTY ROAD - REZONING APPLICATION - SAU-WAH SALLY WONG.

Report of the Director of Planning dated July 23, 2004 recommending approval of the rezoning from RS-14 to RS-6 and RS-8 and Development Variance Permit DVP2004-00009.

Mr. T. Wick, on behalf of the owner, stated:

S The owner’s mother resides with them; her mobility has recently declined and they would like to build a one storey home on the proposed new lot to accommodate her needs.

S He believes the owner would be prepared to offer a covenant to restrict the combined floor area of both lots although they would prefer a restriction closer to 500 square metres rather than 400 square metres.

Councillor Derman stated:

S This home will have an impact on the neighbour to the north.

S He would like the applicant to provide a building design scheme at the Public Hearing showing the scale and massing of the proposed building as well as window location.

Mr. T. Melendez-Duke, Gordon Head Residents Association, stated:

S The Association is not opposed to the rezoning.

- S If approved, they would ask that a restrictive covenant be provided to limit the floor area on both lots to a maximum of 500 square metres to ensure the consistency of both dwellings.

MOTION: MOVED by Councillor Wade and Seconded by Councillor Ngai: “That a Public Hearing be called and the applicant be requested to provide a building design scheme at the Public Hearing.”

In response to a question from Council, the Manager of Capital Works stated:

- S Finnerty Road will be widened to 9.6 metres and will provide an allowance for a bicycle lane.

Councillor Cubberley stated:

- S The south end of Finnerty Road is in need of repair and would benefit from a continuous pedestrian facility.

The Motion was then Put and CARRIED

Ventura Way
Rezoning

1875 VENTURA WAY - REZONING APPLICATION - MICHAEL AND PATRICIA DEJONG.

Report of the Director of Planning dated June 21, 2004 recommending approval of the rezoning from RS-6 to RS-10 and Development Variance Permit DVP2004-00015.

Mr. K. Baker, KB Design, on behalf of the owners, was present in support of the application.

The Director of Planning Services stated:

- S The Development Variance Permit references the plans as outlined which will ensure the house will be constructed as presented.

MOTION: MOVED by Councillor Pickup and Seconded by Councillor Gillespie: “That a Public Hearing be called.”

Councillor Cubberley stated:

- S This house appears to be elevated much higher than the other homes in the surrounding neighbourhood and may not be compatible.

The Motion was then Put and CARRIED

FIN45
Budget Guidelines

2005 BUDGET GUIDELINES.

Report of the Director of Finance dated July 28, 2004 recommending Council adopt the guidelines outlined for preparation of the 2005 budget.

MOTION: **MOVED by Councillor Derman and Seconded by Councillor Pickup:**
“That it be recommended to Council that the 2005 budget submission be prepared with as minimal an increase over 2004 as is considered prudent, and that departmental submissions adhere to the following guidelines:

1. **2005 departmental net budget totals be limited to a 1.5 percent increase over the 2004 adopted net budget totals, exclusive of personnel costs, capital expenditures and non-recurring expenditures;**
2. **Personnel costs be calculated based on 2005 rates and any established positions which were not filled in the last 12 months will be excluded;**
3. **Capital expenditures funded from current revenue must not exceed the 2005 ‘Current Revenue’ totals in the Five Year Financial Plan; and**
4. **Resource requests for additional funds to sustain established service levels or for additional non-essential operating and capital expenditures should be separately identified, including a full explanation and link to the current Corporate Plan.”**

CARRIED

ADM40
 Council
 Procedure Bylaw

COUNCIL PROCEDURE BYLAW - HOUSEKEEPING AMENDMENTS.
 Report of the Municipal Clerk dated July 15, 2004 recommending “Council Procedure Bylaw, 2004, Amendment Bylaw, 2004, No. 8582” be approved and forwarded to Council for three readings and adoption.

MOTION: **MOVED by Councillor Pickup and Seconded by Councillor Gillespie:**
“That “Council Procedure Bylaw, 2004, Amendment Bylaw, 2004, No. 8582” be approved and forwarded to Council for three readings and adoption.”

CARRIED

PQS100
 RFP 16/04 -
 Cordova Bay
 Community
 Centre Project

REQUEST FOR PROPOSAL 16/04 - CONSTRUCTION MANAGEMENT SERVICES - CORDOVA BAY COMMUNITY CENTRE PROJECT
 Joint report of the Director of Purchasing and Director of Parks and Recreation dated July 30, 2004, recommending Request for Proposal 16/04 for the construction management services for the Cordova Bay Community Centre Project be awarded to Farmer in the amount of \$82,500.

In response to questions from Council, the Director of Purchasing stated:
 S When considering a Request for Proposal (RFP), many factors are taken into consideration including type and length of experience as well as the cost; the level of detail provided by the bidder is helpful in determining these qualities.

MOTION: MOVED by Councillor Pickup and Seconded by Councillor Gillespie: "That it be recommended that Request for Proposal 16/04 for the construction management services for the Cordova Bay Community Centre Project be awarded to Farmer Construction in the amount of \$82,500."

Councillor Pickup stated:

S It would be helpful if the Director of Purchasing could prepare a report to Council outlining the criteria used to evaluate the bids.

The Motion was then Put and CARRIED

PQS100
Tender 21/04
Installation of Fuel
Tanks and
Dispensing
System

TENDER 21/04 - INSTALLATION OF FUEL TANKS AND DISPENSING SYSTEM

Report of the Director of Purchasing dated August 4, 2004, recommending Tender 21/04 for the installation of fuel tanks and dispensing system be awarded to Kedco Constructors Limited in the amount of \$174,350.

In response to a question from Council, the Director of Purchasing stated:

S There are currently five fuel tanks in the ground that are at least 25 years old; two new tanks will be installed and once the fuel is transferred the old tanks will be removed.

S Preliminary testing has shown that the existing tanks are not leaking.

Mr. K. Whitcroft, 1044 Inverness Road, stated:

S There is a creek located very close to the existing tanks and great care should be taken to ensure the ground remains uncontaminated.

MOTION: MOVED by Councillor Derman and Seconded by Councillor Pickup: "That it be recommended to Council that Tender No. 21/04 for the installation of fuel tanks and dispensing system be awarded to Kedco Constructors Limited in the amount of \$174,350."

CARRIED

Adjournment: On a Motion from Mayor Leonard , the meeting adjourned at 8:22 p.m.

.....Chair

I hereby certify these Minutes are accurate.

.....
Municipal Clerk