

MINUTES OF THE COUNCIL MEETING
HELD IN THE COUNCIL CHAMBERS
SAANICH MUNICIPAL HALL, 770 VERNON AVENUE
MONDAY, FEBRUARY 14, 2005 AT 7:30 P.M.

Present: **Chair:** Mayor Leonard
Council: Councillors Brownoff, Cubberley, Derman, Gillespie, Pickup, Wade and Wergeland
Staff: Tim Wood, Municipal Administrator; Chris Nation, Municipal Solicitor; Russ Fuoco, Director of Planning; Colin Doyle, Director of Engineering; Carrie M. MacPhee, Municipal Clerk; and Shirley Leggett, Senior Committee Clerk.

Minutes **ADOPTION OF MINUTES**

MOVED by Councillor Pickup and Seconded by Councillor Brownoff:
"That the Minutes of the Council and Committee of the Whole Meetings held February 7, 2005, be adopted."

CARRIED

No. 41
ADM40
Bylaw 8638

REPEAL BYLAW – HERITAGE ADVISORY AND ARCHIVAL COMMITTEE ESTABLISHMENT BYLAW.

Final Reading of the "Repeal Bylaw, 2005 (Heritage Advisory and Archival Committee Establishment Bylaw, 1984, No. 5291), No. 8638".

MOVED by Councillor Derman and Seconded by Councillor Gillespie:
"That Bylaw No. 8638 be adopted by Council and the Seal of the Corporation be attached thereto."

CARRIED

No. 42
ADM40
Bylaw 8637

TICKET BYLAW – HOUSEKEEPING AMENDMENT.

First Three Readings of the "Ticket Bylaw, 2001, Amendment Bylaw, 2005, No. 8637". To increase the fines for dangerous dog and tree cutting violations.

MOVED by Councillor Wergeland and Seconded by Councillor Pickup:
"That Bylaw No. 8637 be introduced and read."

CARRIED

MOVED by Councillor Wergeland and Seconded by Councillor Pickup:
"That Bylaw No. 8637 be read a second time."

CARRIED

MOVED by Councillor Wergeland and Seconded by Councillor Pickup:
"That Bylaw No. 8637 be now passed."

CARRIED

No. 43
Clutesi Street
Bylaw 8625

5080 CLUTESI STREET.

First Reading of the "Zoning Bylaw, 2003, Amendment Bylaw, 2005, No. 8625". Rezoning from A-1 to RS-10.

MOVED by Councillor Cubberley and Seconded by Councillor Brownoff: "That Bylaw No. 8625 be introduced and read."

CARRIED

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- No. 44
Knibbs Place/
Interurban Rd.
Bylaw 8639
- 1120 KNIBBS PLACE/INTERURBAN ROAD.**
First Reading of the "Zoning Bylaw, 2003, Amendment Bylaw, 2005, No. 8639". Rezoning from RS-6 to RS-4.
- MOVED by Councillor Pickup and Seconded by Councillor Gillespie: "That Bylaw No. 8639 be introduced and read."**
- CARRIED**
- No. 45
ADM40
Bylaw 8640
- ZONING BYLAW AMENDMENT – NEW ZONE RA-CA (APARTMENT/CHURCH AVENUE).**
First Reading of the "Zoning Bylaw, 2003, Amendment Bylaw, 2005, No. 8640". To create a new RA-CA zone with apartment, congregate housing, home occupation office and community care for children as permitted uses.
- MOVED by Councillor Cubberley and Seconded by Councillor Gillespie: "That Bylaw No. 8640 be introduced and read."**
- CARRIED**
- No. 46
Cedar Hill Road
Bylaw 8641
- 3757 CEDAR HILL ROAD (A PORTION).**
First Reading of the "Zoning Bylaw, 2003, Amendment Bylaw, 2005, No. 8641". Rezoning from RS-6 to RA-CA.
- MOVED by Councillor Wergeland and Seconded by Councillor Gillespie: "That Bylaw No. 8641 be introduced and read."**
- CARRIED**
- No. 47
Cedar Hill Road
Bylaw 8642
- 3757 CEDAR HILL ROAD (A PORTION)/1514 AND 1520 CHURCH AVENUE.**
First Reading of the "Zoning Bylaw, 2003, Amendment Bylaw, 2005, No. 8642". Rezoning from RS-6 to RA-CA.
- MOVED by Councillor Pickup and Seconded by Councillor Brownoff: "That Bylaw No. 8642 be introduced and read."**
- CARRIED**
- No. 48
ADM40
Bylaw 8620
- ZONING BYLAW AMENDMENT – FENCES.**
First Reading of the "Zoning Bylaw, 2003, Amendment Bylaw, 2005, No. 8620". To remove the word "trellis" in the definition of fence and to permit fences to be constructed in any location on a lot.
- MOVED by Councillor Derman and Seconded by Councillor Wergeland: "That Bylaw No. 8620 be introduced and read."**
- CARRIED**
- No. 49
PLD55
Bylaw 8643
- SHELBOURNE AND QUADRA LOCAL AREA PLAN AMENDMENTS TO DESIGNATE A LOCAL CONNECTOR BIKE ROUTE.**
First Reading of the "Official Community Plan Bylaw, 1993, Amendment Bylaw, 2005, No. 8643". To amend the Shelbourne and Quadra Local Area Plans to designate a Local Connector Bike Route from the University of Victoria to Wicklow Street and the City of Victoria boundary.
- MOVED by Councillor Cubberley and Seconded by Councillor Gillespie: "That Bylaw No. 8643 be introduced and read."**
- CARRIED**

Resolutions	<p>RESOLUTIONS FOR ADOPTION</p>
No. 50 <u>PLD40</u> Riparian Area Regulation	<p>RIPARIAN AREA REGULATION. Letters from the City of Burnaby dated January 25, 2005 and the Comox-Strathcona Regional District dated January 19, 2005 requesting the Province extend the deadline date for implementation of the new Riparian Area Regulation.</p> <p>MOVED by Councillor Derman and Seconded by Councillor Pickup: “That a letter be sent to the Minister of Water, Land, and Air Protection requesting that the deadline date for implementing the new Riparian Areas Regulation be extended.”</p> <p style="text-align: right;">CARRIED</p>
No. 51 <u>ADM90</u> Meeting Cancellation	<p>REGULAR COUNCIL/COMMITTEE OF THE WHOLE MEETINGS – JUNE 6, 2005. Memorandum from the Municipal Clerk dated February 8, 2005 requesting Council cancel the regular Council/Committee of the Whole Meetings on June 6, 2005 due to the Federation of Canadian Municipalities Convention.</p> <p>MOVED by Councillor Brownoff and Seconded by Councillor Gillespie: “That the June 6, 2005 Council and Committee of the Whole Meetings be cancelled.”</p> <p style="text-align: right;">CARRIED</p>
No. 52 <u>ADM115 - CRD</u> Regional Housing Trust Fund	<p>REGIONAL HOUSING TRUST FUND – CAPITAL REGIONAL DISTRICT WORKING GROUP Memorandum from Mayor Leonard dated February 9, 2005 recommending Council appoint Councillor Brownoff as Saanich’s representative on the CRD’s Working Group for the Regional Housing Trust Fund.</p> <p>MOVED by Councillor Wergeland and Seconded by Councillor Pickup: “That Council appoint Councillor Brownoff as Saanich’s representative on the Capital Regional District’s Working Group for the Regional Housing Trust Fund.”</p> <p style="text-align: right;">CARRIED</p>
Recommendations	<p>RECOMMENDATIONS</p> <p><i>From the Healthy Saanich Advisory Committee Meeting held January 19, 2005.</i></p>
No. 53 <u>ADM115</u> BC Transit	<p>BC TRANSIT – PROVINCIAL FUNDING Memorandum from Councillor Brownoff dated February 10, 2005 requesting Council endorse a resolution regarding the provincial funding freeze for BC Transit.</p> <p>MOVED by Councillor Brownoff and Seconded by Councillor Pickup: “That Council endorse the following resolution:</p> <p>WHEREAS there is a continued freeze on long-term Provincial funding for BC Transit which in turn affects the quality of service provided to transit users and this freeze has resulted in almost four years of service cuts;</p>

AND WHEREAS since 2001, the total annual ridership in Greater Victoria has increased by approximately one million users;

AND WHEREAS over this same period the number of operating hours has been reduced and fuel costs have increased by approximately 20%;

AND WHEREAS the Provincial Government has provide some “stop gap” funds to the Transit Commission to cover extraordinary costs like rising fuel costs, but has not committed to a long-term funding and governance model;

AND WHEREAS BC Transit operators are experiencing daily “pass ups” whereby they are unable to pick up all passengers because they already have a standing load on their bus;

AND WHEREAS without a long-term Provincial funding commitment coupled with increased ridership and decreased operating hours, increased concerns for public safety will arise with increases in pass ups at all hours of the day, of young school children, seniors and persons with disabilities, which further erodes the reliability of public transit service in Greater Victoria;

AND WHEREAS the BC Progress Board, an independent panel of senior business and academic leaders, established by the Premier, has stated in its recent report that “*Transportation is a critical factor in the economic growth and development process*”;

AND WHEREAS the report continues “*Public and urban transportation is the lifeblood of economic and social activity for major urban economies: the Greater Vancouver Regional District, the Capital Regional District, and other larger centres . . . providing efficient urban transportation is vital to sustain and enhance quality of life and the environment, which is also important for attracting and retaining knowledge workers who increasingly are the mainstay of our global economy*”;

NOW THEREFORE BE IT RESOLVED that the Government of British Columbia be requested to develop a long-term provincial funding solution and work with local governments in the Capital Region to develop a governance authority that is needed to develop an efficient urban transportation system before the system is eroded to a level that will cause inefficiency for the movement of goods, services, and people; compromise public safety, and erode the Regional Growth Strategy objectives; and

FURTHER, that a copy of this resolution be forwarded to all Municipal Councils within the Capital Regional District and our local MLA’s.”

CARRIED

From the Special Committee of the Whole Meeting held February 1, 2005.

No. 54
PRO00
Fire Truck

REQUEST FOR EARLY APPROVAL

Recommendation from the Special Committee of the Whole Meeting held February 1, 2005 that Council grant early approval for the purchase of a replacement Fire Pumper truck for the Fire Department.

MOVED by Councillor Pickup and Seconded by Councillor Gillespie: "That Council authorize the purchase of a replacement KME 2002/2003 Fire Pumper in the amount of \$185,000 US dollars plus applicable taxes, exchange, brokerage fees and delivery, subject to Fire Department Inspection, and that Council approve \$258,900 in the 2005 budget for that purpose."

CARRIED

Adjournment

On a motion from Councillor Pickup, the meeting adjourned at 7:40 p.m.

The Meeting reconvened at 10:01 p.m.

No. 55
PKA35
Layritz Park

CANADA BC INFRASTRUCTURE GRANT APPLICATION – LAYRITZ PARK

The Director of Finance stated:

- The original design concept for Layritz Park was approved by Council in 2000 with the Infrastructure Grant application based on the 2001 design and construction estimates.
- In January 2005, cost estimates were revised to reflect current construction costs and the scope of the design was modified to provide one of the two soccer fields with artificial turf.
- The revised Infrastructure Grant application is based on contributions of \$200,000 from the Prospect Lake Soccer Association and Layritz Little League Association, and \$800,000 from the Parks Capital Budget which have specifically been identified for the park project.

MOVED by Councillor Derman and Seconded by Councillor Wade: "That Council reconfirm Layritz Park as an Infrastructure grant priority project and approve \$1,000,000 in 2005 funding as follows:

2005 Park Capital Budget	\$800,000
Community Contributions from Sports Groups	\$200,000."

CARRIED

Adjournment

On a motion from Councillor Derman, the meeting adjourned at 10:08 p.m.

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MAYOR

I hereby certify these Minutes are accurate.

.....
MUNICIPAL CLERK

adjunct to the new irrigation system so a comprehensive consultation process was not undertaken.

- A few of the neighbouring residents have contacted staff and raised concerns with issues such as size of the pump house, visual impacts, noise, flooding from the irrigation system, and the type of vegetation that will be planted; staff have made every attempt to address these concerns.

Responding to questions from Council, the Director of Parks and Recreation stated:

- Saanich has an Environmental Protocol for all development projects; Environmental staff were fully involved and worked with the Golf Course staff to complete the protocol analysis for the project.
- The primary purpose of the pump house is to provide irrigation to the golf course; the issue of how the fertilizer is applied can be revisited.
- It is necessary to commence mowing the greens at 5:30 a.m. in order to ensure the course is operational by the time the first golfers arrive in the morning; staff make sure that when they start at 5:30 a.m. it is on the greens furthest away from any homes.

Mr. J. Moores, 3735 Ascot Drive, on behalf of the Quadra Cedar Hill Community Association, stated:

- There has been inadequate notification to the neighbourhood on the proposed pump house especially with it being located in the floodplain of the golf course.
- The Association is concerned that the proposed size of the building is too large and that the noise from the pumps will impact residents.
- There is no mention of planting any native species in the riparian areas only non-native species.

Ms. M. Bachmann, 3720 Ascot Drive, stated:

- She is really disappointed in the lack of public consultation.
- The neighbours who live around the Golf Course want to be kept informed about what is happening and be involved.
- She is concerned about the effects of fertilizers and other chemicals on the Golf Course; the frog population in the pond has been greatly depleted in the past 10 years and is now just starting to come back.

Ms. B. Patriquin, 1360 Queensbury Avenue, stated:

- She is concerned with the short notice that the neighbourhood received; she only had eight days to prepare for the meeting.
- She is also concerned that the pumps could be noisy and her views could be impacted.
- The drainage system on the east side of the channel to King's Pond does not accommodate excess water and creates saturation; she would like to know how the irrigation system will be controlled.

Mr. K. Whitcroft, 1044 Inverness Road, on behalf of the Quadra Cedar Hill Community Association, stated:

- He has the MDS sheet on the proposed chemicals that will be spread on the Golf Course and if not used properly, they can be toxic to fish and other wildlife and can also be corrosive.
- He would like to know how run off will be controlled.

MOTION: MOVED by Councillor Pickup and Seconded by Councillor Brownoff: "That consideration of Development Permit No. DVP2004-00024 for 1400 Derby Road be postponed for staff to undertake public consultation and provide additional information on the use of chemicals within a floodplain area, and further, that the matter be referred to the Environmental Advisory Committee."

Councillor Derman stated:

- He does not feel assured that Environmental staff are aware of the chemicals that will be used on the Golf Course and would be more comfortable if he had additional information.
- He supports the issue being postponed but agrees that it should be dealt with as quickly as possible.

In response to comments and questions, the Director of Parks and Recreation stated:

- He understands and appreciates that there are two issues: the irrigation system and pump house and the use of chemicals; he is prepared to bring back additional information on the issue of chemicals.
- However, he is concerned with the timelines to complete the irrigation system and the pump house.
- If the decision on the pump house is delayed it will place the project in jeopardy of not being completed this year; there is only a small window of opportunity.

Councillor Brownoff stated:

- She would like to have more information on the type of chemicals that will be used.

Councillor Pickup stated:

- The Environmental Advisory Committee meets on February 17th so she will bring this issue to the Committee's attention for their comments.
- She hopes that the community will work with staff to organize a public meeting as soon as possible.

Councillor Gillespie stated:

- The issue of the new irrigation system for the Golf Course has been advertised for quite some time.
- Every week that the irrigation project is delayed is critical to the operation of the Golf Course.

Mayor Leonard stated:

- Staff will need to discuss the issues further; it may be possible to separate the Development Permit application for the pump house from the issue of the use of fertilizers and chemicals.

The Motion was then PUT and CARRIED

PLD60
OCP Amendment

PROPOSED AMENDMENTS TO THE DEVELOPMENT PERMIT GUIDELINES FOR COMMERCIAL DEVELOPMENTS.

Report of the Director of Planning dated January 11, 2005 recommending Appendix N (Development Permit Areas – Justification and Guidelines) to the Official Community Plan be amended to include six new guidelines in Development Permit Areas 1, 7, 8, 15, 18 and 21.

The Director of Planning provided a visual presentation of various commercial developments within the Region and stated:

- Recent development applications have illustrated that current guidelines could be improved by placing more specific emphasis on the streetscape, pedestrian and mobility issues, and the linkage between public and private spaces.
- It is expected that a review of all commercial Development Permit Guidelines will be undertaken during the process of reviewing the General Plan in 2006.
- In the meantime, staff are proposing six interim development permit guidelines to address mobility, streetscape, and public space improvements, architecture and environmental elements within specific major centres.

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

- The present Development Permit Guidelines for commercial developments are not as directive as they could be and that is why the new guidelines are being proposed.
- It is expected that over the next couple of years, Saanich will receive applications for major developments and it would be desirable to set the goalposts to ensure developers know what Saanich expects.

Mr. H. Charania, 757 Genevieve Road, on behalf of the North Quadra Land Use Protection Association, stated:

- The Association agrees with and fully supports the proposed new Development Permit Guidelines outlined in the Planner's report.
- The proposed amendments are consistent with the policies of the Regional Growth Strategy, reflect the values of future developments, and will provide guidance to the development community.
- Development Permit Area 14 (Quadra/McKenzie) is not included in the Planner's report and the Association thinks it should be.
- On Page 2–No. 3: *“Wherever possible public spaces should be sited.....”*. They think it should be replaced with: *“A reasonable effort should be made to site public spaces that respect and enhance the view corridor.”*
- On Page 3–No. 4: *“Underground parking should be provided.....”* They suggest adding some wording that reflects design elements such as lighting and security to ensure that underground parking is safe for both shoppers and employees; the underground parkade at Mayfair is a good example.
- The Association hopes that green building design elements and principles will be included in the new guidelines.

Mr. G. Potter, president, Broadmead Area Residents' Association, stated:

- The Association fully supports the proposed new interim development permit guidelines.

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- The big box concept is invasive to communities and the proposed guidelines will help address it in the future.

Ms. E. Gallacher, 1182 Sloan Terrace, on behalf Hansbraun Investments Ltd., stated:

- Hansbraun Investments Ltd. owns six centres in Saanich and the development process is very important to their daily business.
- They are concerned that the proposed amendments are being rushed; they do not oppose changes to the guidelines but they would appreciate the opportunity to provide some input.
- They would like Council to postpone further consideration so they have time to discuss these changes with their architect and assess if they would be impacted.

Mr. B. McCandless, on behalf of Morguard Investments Ltd., stated:

- They agree that there has not been adequate time to review the proposed interim amendments and ask that Council postpone sending it forward to a Public Hearing.

Mr. P. Gerrard, president, Gorge Tillicum Community Association, stated:

- The recommendations add a human element and scale, and enhance the pedestrian environment on commercial sites that can be lacking at the present time.
- Commercial sites and malls in particular, must improve the connectivity to the community, provide safe pedestrian movement through sites, recognize public transit as a suitable alternative to vehicles, and address environmental issues where appropriate.
- The Association supports the proposed amendments to the Development Permit Guidelines and hopes they will go forward as soon as possible to a Public Hearing.

Mr. I. Graham, 2615 Dean Avenue, stated:

- He supports the proposed interim Guidelines.
- There is no mention of the issue of pedestrian environment or mobility in the current guidelines but the proposed changes will address those issues.
- He was really impressed with the Planner's visual presentation that showed examples of good, bad and ugly developments throughout the region; he hopes that staff will do more presentations of this sort because it is very beneficial.

Ms. V. Sander, president, Quadra Cedar Hill Community Association, stated:

- The Association supports the interim changes to the Development Permit Guidelines.
- They also agree that the Quadra/McKenzie area should be included in the guidelines and that safety issues in underground parking areas should be addressed.

Ms. S. MacPherson, president, Prospect Lake Community Association, stated:

- The Association supports the proposed changes to the Guidelines; they are very forward thinking.
- Neither the Prospect Lake Area Plan nor the Rural Saanich Local

Area Plan have been finalized and they would like to know when they will be.

- They are concerned about the area at Sparton/Prospect Lake/West Saanich Roads which is considered a commercial area; they would like to have more consultation with staff to develop a vision for that area.

Mr. L. Waye, 2251 Greenlands Road, on behalf of the Gordon Head Residents' Association, stated:

- The Association supports the proposed interim changes to the Development Permit Guidelines.
- It is important that connections to adjacent areas be emphasized, not just for vehicles, but for pedestrian traffic as well, in order to make it more open and friendly to the community in general.

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

- He supports the proposed interim guidelines.
- Page 2-No. 1: *".....social interaction and the creation of a vibrant....."* He thinks it should read: *".....creation of a safe green vibrant...."*
- Page 2-No. 3: *".....public spaces should be sited to respect and enhance important view corridors"*. It should also respect natural assets, past and present.
- Page 3-No. 6: *".....enhance remnant riparian zones....."*: we should not just be looking at what is left, but returning what was once there.
- There is no mention of daylighting creeks in the Guidelines.

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

- The reason that area 14 (Quadra/McKenzie) is not included is because they tried to stay with major centres; if Council wishes, it can be added.
- With regard to making parkade areas safe, it may be appropriate to add wording that talks about crime prevention through environmental design principles.
- He will speak with staff to see what the status is of the Rural Saanich Local Area Plan.
- There is sufficient time prior to the Public Hearing to receive input from interested parties or advisory committees.
- If necessary the additional input and any resulting revisions to the proposed guidelines can be brought to Committee of the Whole prior to the Public Hearing.

MOTION:

MOVED by Councillor Pickup and Seconded by Councillor Brownoff: "That a Public Hearing be called."

Councillor Brownoff stated:

- The proposed new guidelines were reviewed and supported in principle by the Planning and Transportation Advisory Committee.
- The current Development Permit Area Guidelines are out of date and it is important to move forward with revising them.
- The proposed interim changes are a good first step until the review of the General Plan in 2006.
- There is still time for owners of commercial properties to provide feedback prior to the Public Hearing.

Councillor Wergeland stated:

- Changes to the Development Permit Guidelines are long overdue and will be beneficial to the business community.

Councillor Derman stated:

- The current Development Permit Guidelines are insufficient when dealing with some of the issues that come forward to Council.
- The Regional Growth Strategy talks about livable and walkable communities but how can they be achieved if the guidelines are inadequate.

Mayor Leonard stated:

- If the proposed amendments are revised to reflect current or future comments, the matter will have to come back to another Committee of the Whole Meeting prior to going forward to a Public Hearing.

The Motion was then PUT and CARRIED

In Camera Motion

MOVED by Councillor Gillespie and Seconded by Councillor Cubberley: "That the following meeting be closed to the public as the subject matter being discussed relates to the proposed acquisition of land and/or improvements and to negotiations with the Provincial government."

CARRIED

Adjournment

On a motion from Councillor Derman, the meeting adjourned at 9:40 p.m.

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CHAIR

I hereby certify these Minutes are accurate.

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MUNICIPAL CLERK