

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

Present: **Chair:** Mayor Leonard  
**Council:** Councillors Brownoff, Cubberley, Derman, Gillespie, Ngai, 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 Gillespie:**  
**“That the Minutes of the Council and Committee of the Whole Meetings held January 31, 2005, be adopted.”**

**CARRIED**

No. 32  
ADM40  
Bylaw 8609

**ZONING BYLAW AMENDMENT – NEW WASTE MANAGEMENT ZONE.**  
Final Reading of the “Zoning Bylaw, 2003, Amendment Bylaw, 2004, No. 8609”. To create a new P-10 (waste management) zone and new definitions for “Waste Management” and “Solid Waste Management Plan”.

**MOVED by Councillor Wergeland and Seconded by Councillor Derman:**  
**“That Bylaw No. 8609 be adopted by Council and the Seal of the Corporation be attached thereto.”**

**CARRIED**

No. 33  
ADM40  
Bylaw 8610

**ZONING OF MT. WORK REGIONAL PARK, HARTLAND LANDFILL AND HEAL’S RIFLE RANGE.**

Final Reading of the “Zoning Bylaw, 2003, Amendment Bylaw, 2004, No. 8610”. To establish zones for the Hartland Landfill site, Heal’s Rifle Range and Mt. Work Regional Park.

**MOVED by Councillor Derman and Seconded by Councillor Wade:**  
**“That Bylaw No. 8610 be adopted by Council and the Seal of the Corporation be attached thereto.”**

**CARRIED**

No. 34  
ADM40  
Bylaw 8634

**TICKET BYLAW AMENDMENT – STREETS AND TRAFFIC BYLAW.**

Final Reading of the “Ticket Bylaw, 2001, Amendment Bylaw, 2005, No. 8634”. To include an offence under the Streets and Traffic Bylaw for depositing material on streets and failing to remove snow from sidewalks.

**MOVED by Councillor Pickup and Seconded by Councillor Gillespie:**  
**“That Bylaw No. 8634 be adopted by Council and the Seal of the Corporation be attached thereto.”**

**CARRIED**

No. 35  
ADM40  
 Bylaw 8636

**ANIMALS BYLAW AMENDMENT – DOGS ON CEDAR HILL PARK TRAIL AND LICENCE FEES FOR DANGEROUS DOGS.**

Final Reading of the “Animals Bylaw, 2004, Amendment Bylaw, 2005, No. 8636”. To require dogs to be leashed on any trail located in Cedar Hill Park, increase the license fees for dangerous dogs and the fines for subsequent offences for dogs running at large.

**MOVED by Councillor Cubberley and Seconded by Councillor Pickup: “That Bylaw No. 8636 be adopted by Council and the Seal of the Corporation be attached thereto.”**

**CARRIED,**  
 with Councillor Wade voting against.

No. 36  
ADM40  
 Bylaw 8638

**REPEAL BYLAW – HERITAGE ADVISORY AND ARCHIVAL COMMITTEE ESTABLISHMENT BYLAW.**

First Three Readings 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 Pickup: “That Bylaw No. 8638 be introduced and read.”**

**CARRIED**

**MOVED by Councillor Derman and Seconded by Councillor Pickup: “That Bylaw No. 8638 be read a second time.”**

**CARRIED**

**MOVED by Councillor Derman and Seconded by Councillor Pickup: “That Bylaw No. 8638 be now passed.”**

**CARRIED**

Resolutions

**RESOLUTIONS FOR ADOPTION**

No. 37  
ADM115  
 AVICC –  
 Proposed  
 Resolutions

**ASSOCIATION OF VANCOUVER ISLAND COASTAL COMMUNITIES (AVICC) – PROPOSED RESOLUTIONS TO ANNUAL GENERAL MEETING.**

Report from Councillor Pickup dated February 2, 2005 recommending Council forward the resolutions outlined to the AVICC Annual General Meeting.

**MOVED by Councillor Pickup and Seconded by Councillor Gillespie: “That the following resolutions be forwarded to the Association of Vancouver Island Coastal Communities’ Annual General Meeting:**

**SAFE STREETS ACT**

**WHEREAS** the new Safe Streets Act introduced by the Provincial Government came into effect on January 28, 2005;

**AND WHEREAS** this legislation represents poor bashing and does not address the issues behind people panhandling which are poverty, mental illness, drug and alcohol addiction and homelessness;

**AND WHEREAS** the cost of enforcing this Act would be better spent to provide the community resources to help these people;

**THEREFORE BE IT RESOLVED** that the AVICC ask the BC Government to rescind the Safe Streets Act;

**AND BE IT FURTHER RESOLVED** that the province be asked to adequately fund community agencies to deal with the issues of poverty, addiction and homelessness.

#### **EXPANDED GAMBLING IN BC**

**WHEREAS** the current Provincial Government was elected on a platform of no expanded gambling in BC;

**AND WHEREAS** the last four years have seen the introduction of internet gambling, the introduction of 8,000 more slot machines, 24-hour casino operations, raised betting limits and allowed consumption of alcohol on the casino floor;

**AND WHEREAS** the impacts on individuals, families and communities from gambling and addictive behavior are substantial and destructive;

**THEREFORE BE IT RESOLVED** that the AVICC urge the BC Government to halt the expansion of gambling and reduce the increased levels that have occurred since 2001.

#### **PROVINCIAL HOUSING PROGRAM**

**WHEREAS** the lack of affordable housing and numbers of homeless have reached crisis levels on southern Vancouver Island;

**AND WHEREAS** the provincial government was warned by a wide range of community groups and gerontology specialists that focusing on an assisted living program in isolation from other housing needs would not be the best use of Federal-Provincial funds for housing;

**THEREFORE BE IT RESOLVED** that the AVICC call on the Provincial Government to reinstate the Homes BC program or a similar comprehensive housing program to deliver much needed affordable and appropriate housing for seniors, low income families and individuals and those with special needs.

#### **RESIDENTIAL CARE BEDS**

**WHEREAS** since 2002 the BC government has closed hundreds of residential care beds on Vancouver Island and thousands across BC without adequate replacement beds;

**AND WHEREAS** many acute care beds in our hospitals are being occupied by seniors needing residential care, creating long waiting lists for other acute care services;

**AND WHEREAS** waiting lists for residential care beds are growing;

**THEREFORE BE IT RESOLVED that the AVICC calls on the Provincial Government to provide adequate capital resources to reopen or build sufficient residential care beds to meet the demand on Vancouver Island and across BC.”**

**CARRIED,**  
with Mayor Leonard and Councillors Wade and Wergeland voting against.

No. 38  
FIN105  
Grant Application

**TSUNAMI PREPAREDNESS GRANT APPLICATION.**

Report from the Deputy Fire Chief dated February 4, 2005 requesting Council approve a Tsunami Preparedness Program grant application.

**MOVED by Councillor Gillespie and Seconded by Councillor Brownoff: “That Council approve the grant application to the Provincial Emergency Program for funding in the amount of \$10,000 under the Local Government Tsunami Preparedness Program.”**

**CARRIED**

Recommendations

**RECOMMENDATIONS**

*From the Environmental Advisory Committee Meeting held January 20, 2004.*

No. 39  
ADM115  
Preservation of  
Significant Green  
Spaces

**PRESERVATION OF SIGNIFICANT GREEN SPACES WITHIN THE DISTRICT OF METCHOSIN – REQUEST FOR SUPPORT**

Memorandum from the Environmental Advisory Committee dated January 25, 2005 requesting Council write a letter of support in principle for the preservation of significant green spaces in the District of Metchosin.

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

1. **Council write a letter of support in principle to the District of Metchosin for the preservation of Sections 25, 28, 29 and 95 in the District of Metchosin, while reaffirming the importance of protecting greenspaces with ecological value within the Capital Regional District (CRD).”**

Councillor Brownoff stated:

- The Planning and Transportation Advisory Committee also considered this issue and would like to add to the Environmental Advisory Committee recommendation.

**MOVED by Councillor Brownoff and Seconded by Councillor Derman: “That the motion be amended by adding the following:**

2. **That the Provincial Government respect the Regional Growth Strategy (RGS) Bylaw and its policies, and negotiate an implementation agreement with the CRD to ensure that provincial ministries and agencies work towards achieving the vision and strategic objectives of the RGS; and**
3. **A copy of this motion be transmitted to the Minister of Community Aboriginal and Women’s Services and the CRD.”**

**The Amendment was then PUT and CARRIED**

**The Main Motion as Amended was then PUT and CARRIED**

Adjournment On a motion from Councillor Gillespie, the meeting adjourned at 7:36 p.m.

The Meeting reconvened at 8:21 p.m.

*From the Committee of the Whole Meeting held February 7, 2005.*

No. 40  
Shelbourne Street  
Development  
Variance Permit

**4101 SHELBOURNE STREET – DEVELOPMENT VARIANCE PERMIT – MT. DOUGLAS HOLDINGS LTD.**

**MOVED by Councillor Gillespie and Seconded by Councillor Wergeland: “That the rules of procedure contained in Council Procedure Bylaw, 2004, No. 8540, be temporarily suspended to allow the applicant an opportunity to address Council for up to five minutes on the issue of lighting for the sign at the Mount Doug Market located at 4101 Shelbourne Street.”**

**CARRIED**

Mr. C. Jones, an employee of Mount Doug Market, stated:

- The sign has not been illuminated because they were not sure if it would be approved or not.
- If the sign for the Market is not illuminated during the winter months it will not be visible to the public and will make it difficult to attract customers; it is the only signage to indicate it is a grocery store.
- They were not planning to illuminate the entire sign but were hoping to have a light that shines over the door and illuminates the name of the store.
- The previous signs that faced onto Torquay Drive and Shelbourne Street were illuminated; they were not planning to direct any new lighting that would impact the adjacent property on Torquay Drive.

It was the consensus of Council that staff discuss the issue of lighting with the applicant and bring forward a recommendation to Council for ratification.

In Camera Motion **MOVED by Councillor Wade and Seconded by Councillor Derman: “That the following meeting be closed to the public as the subject matter being discussed relates to personal information about identifiable individuals being considered for appointments.”**

**CARRIED**

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

.....  
MAYOR

I hereby certify these Minutes are accurate.

.....  
MUNICIPAL CLERK

MINUTES OF THE COMMITTEE OF THE WHOLE MEETING  
HELD IN THE COUNCIL CHAMBERS  
SAANICH MUNICIPAL HALL, 770 VERNON AVENUE  
**MONDAY, FEBRUARY 7, 2005 AT 7: 37 P.M.**

Present:                   **Chair:**       Councillor Pickup  
                                 **Council:**   Mayor Leonard and Councillors, Brownoff, Cubberley, Derman, Gillespie, Ngai, 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.

Shelbourne Street  
Development  
Variance Permit

**4101 SHELBOURNE STREET – DEVELOPMENT VARIANCE PERMIT – MT. DOUGLAS HOLDINGS LTD.**

Reports of the Director of Planning dated January 13, 2005 recommending Development Variance Permit No. DVP2004-00027 be approved; and the Advisory Design Panel dated January 10, 2005 recommending approval of the design.

Responding to a question from Council, the Director of Planning stated:

- Council could approve the Development Variance Permit with the condition that the sign not be illuminated.

Mr. P. Brown, 4313 Majestic Drive, stated:

- The Mount Doug Market is an asset to the community and he fully supports the new sign.
- The owners of the store have a very good rapport with the neighbourhood and over the years have employed many students to work there.

Mr. W. Benson, 1594 Burnley Place, stated:

- Over the past 20 years he has made countless trips to the Mount Doug Market to purchase merchandise.
- The owners have always made the store a comfortable place to shop and have supported the community by hiring students, including his daughters.
- There are many, many residents in the neighbourhood who support the new sign and he hopes that Council will approve it.

Councillor Pickup stated:

- She visited the site and liked the new sign very much.
- The only complaint she has received about the Market was from an adjacent neighbour on Torquay Drive and that pertained to the untidy dumpster area at the rear of the store.

**MOTION:                   MOVED by Councillor Ngai and Seconded by Councillor Gillespie: “That it be recommended that Council approve and issue Development Variance Permit No. DVP2004-00027 for Lot 1, Sections 54 and 55, Victoria District, Plan 11777 (4101 Shelbourne Street).”**

Councillor Brownoff stated:

- She would like approval of the Development Variance Permit to reflect the fact that the sign will not be illuminated; this would ensure that future owners of the store would have to get Council approval to change the sign,

as well as provide some comfort to the neighbours.

Councillor Derman stated:

- The Mount Doug Market has been an asset to the community for many years.
- He agrees that approval of the Development Variance Permit should be granted based on the condition that the sign not be illuminated.

Councillor Wergeland stated:

- He compliments the owners of the store and the artist who created the mural; they did a great job.
- He does not have any issues with the sign being illuminated and would support it if the owners decided they wanted it to be.

**The Motion was then PUT and CARRIED**

EPW65/XRef:  
Blenkinsop Road  
Rezoning

**4550 BLENKINSOP ROAD (A PORTION) – PROPOSED INCLUSION IN SEWER ENTERPRISE BOUNDARY.**

Report of the Director of Engineering dated January 24, 2005 recommending the building footprint at 4550 Blenkinsop Road be included within the Sewer Enterprise Boundary.

The Director of Engineering stated:

- The owners of the property at 4550 Blenkinsop Road have applied for a demolition permit to demolish the existing dwelling and construct a new one so the recommendation in his report should be amended to read: *“That the building footprint for the proposed building at 4550 Blenkinsop Road .....”*

Responding to questions from Council, the Director of Engineering stated:

- Should an individual pump be required, the owner will be responsible for all supply and installation costs and for the operation and maintenance of it.
- The Vancouver Island Health Authority (VIHA) is recommending that the property be connected to the Municipal sewer system because the long-term viability of a new septic system is questionable.

**MOTION:**

**MOVED by Councillor Gillespie and Seconded by Councillor Ngai: “That the application to include the building footprint for the proposed building on Parcel A of Lot 6, Section 7, Lake District, Plan 746 (4550 Blenkinsop Road) within the Sewer Enterprise Boundary be approved.”**

Councillor Cubberley stated:

- He is not comfortable with the wording in the VIHA letter where it states *“.....the seasonal saturation and lack of soil depth present significant risks to the long-term viability of any treatment system; it does not specify whether “long-term” could be 15 or 50 years; the letter also does not indicate if any reasonable alternatives exist.*

Councillor Brownoff stated:

- She agrees that the wording in the letter from VIHA does not provide any level of comfort.

Councillor Wergeland stated:

- There needs to be a plan in place that addresses sewers and septic

---

systems in rural areas of Saanich.

- He does not have an issue with a property with a failing septic system being connected to a Municipal sewer line if the pipes are already in place on the street.

Councillor Gillespie stated:

- There needs to be a maintenance program in place to ensure that septic systems are managed properly.

Councillor Derman stated:

- Some sort of precedent was set in the area when the properties located across the road were connected to the Municipal sewer system.
- This is a situation where the sewer pipe has already been installed on the street and he thinks the letter from VIHA may be referring to economic feasibility and viability implications rather than health feasibility and viability.
- We need to ensure that this situation does not happen in other areas of the Municipality where sewer pipes have not been installed because then it is not economically viable for the rest of the taxpayers of Saanich to fund the cost of a new sewer system just so a few properties can be addressed.

Councillor Pickup stated:

- She does not support the property being connected to the Municipal sewer system; it is against the policies of the Urban Containment Boundary and the Regional Growth Strategy.
- As of May 31, 2005, VIHA will no longer be responsible for approving septic systems; they will be approved by qualified professionals.
- The Ministry has made it very clear within the context of their new regulations that they consider septic systems to be permanent systems.
- The CRD's On-site Management Advisory Committee will be sending out an information sheet to all municipalities who have septic systems within their jurisdiction to be included in their property tax notices; there will also be a follow-up letter asking for participants in a pilot maintenance program and she hopes that Saanich will agree to participate.

**The Motion was then PUT and CARRIED, with Councillor Pickup voting against.**

Knibbs Place  
Rezoning

**1120 KNIBBS PLACE – REZONING APPLICATION – RON McNEIL (McNEIL DESIGNS LIMITED).**

Report of the Director of Planning dated January 25, 2005 recommending approval of the rezoning from RS-6 to RS-4.

Mr. R. McNeil, McNeil Designs Limited, applicant, stated:

- The proposal is to subdivide the subject property and create two identical sized lots; the existing dwelling will be demolished.
- The property is triangular in shape and has a large amount of road frontage and boulevard areas.
- He met with the neighbours and the Strawberry Vale Residents' Association; some concerns were expressed with regard to privacy.
- To address the privacy issue he prepared some design sketches of the proposed two new houses and oriented them on the lots so that only small

bathroom windows will overlook the neighbouring properties; the neighbours were satisfied with the proposed layout.

- The boulevard improvements will be developed with a civil engineer as the development proceeds; they expect that the sidewalk along Interurban Road will be continued.
- The neighbours were not really concerned about whether or not the sidewalk would continue along Knibbs Place or if there was a boulevard; they only wanted the edge of the pavement cleaned up and enough room for vehicles to slow down and safely turn onto Knibbs Place.

In response to questions from Council, Mr. McNeil stated:

- He is willing to provide a covenant to ensure the proposed design scheme and finishing materials, and restrict the size of the two new dwellings.

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

- The servicing requirements are still calling for concrete curb and gutters on both road frontages.
- He would like to know when the Municipality is going to change their practices and start using alternatives methods for dealing with the issue of stormwater.

**MOTION:                   MOVED by Councillor Derman and Seconded by Councillor Gillespie: "That a Public Hearing be called."**

Councillor Derman stated:

- He hopes that the developer will work with staff and commit to a separated sidewalk as part of the servicing agreement.

Councillor Cubberley stated:

- The Planner's report mentions that there is a large undeveloped parcel across the street on Knibbs Place that is within the floodplain; it would have been helpful to see on a map exactly where the floodplain is located and have it discussed in the report in terms of innovative stormwater management.

**The Motion was then PUT and CARRIED**

Adjournment

On a motion from Councillor Wade, the meeting adjourned at 8:20 p.m.

.....  
CHAIR

I hereby certify these Minutes are accurate.

.....  
MUNICIPAL CLERK