

MINUTES OF THE COUNCIL MEETING
HELD IN THE COUNCIL CHAMBERS
SAANICH MUNICIPAL HALL, 770 VERNON AVENUE
MONDAY, AUGUST 14, 2006 AT 7:30 P.M.

Present: **Chair:** Mayor Leonard
Council: Councillors Brice, Brownoff, Derman, Gillespie, Ngai, Sanders and Wergeland
Staff: Tim Wood, Administrator; Russ Fuoco, Director of Planning; Colin Doyle, Director of Engineering; Carrie M. MacPhee, Manager of Legislative Services; and Shirley Leggett, Senior Committee Clerk.

Public Hearing **PUBLIC HEARING**

No. 273
Bylaw No. 8793
Rogers Avenue/
XRef: PLD55

“OFFICIAL COMMUNITY PLAN BYLAW, 1993, AMENDMENT BYLAW, 2006, NO. 8793”

**PROPOSED NORTH QUADRA LOCAL AREA PLAN AMENDMENT -
FUTURE ACQUISITION OF THE HERITAGE DESIGNATED DWELLING
AT 820 ROGERS AVENUE**

The intent of the proposed bylaw is to amend the North Quadra Local Area Plan to include text and mapping amendments and the addition of the following new policy with respect to the future acquisition of the Bruce Hutchison home at **820 ROGERS AVENUE** (formerly 810 Rogers Avenue):

“2.4 Seek funding from appropriate federal and provincial agencies and other sources for the acquisition of the former Hutchison dwelling at 820 Rogers Avenue as shown in Map 2.1 when and if it is offered for sale.”

The Notice of Public Hearing and report of the Director of Planning dated June 1, 2006 recommending that the North Quadra Local Area Plan be amended to include text, policy and mapping changes as outlined in the Planning Reports dated March 2, 2006 and June 1, 2006 were introduced.

APPLICANT:

The Corporation of the District of Saanich.

PUBLIC INPUT:

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

- Acquisition of the Hutchison property on Rogers Avenue has been a topic of discussion for the past 10 years and the Association thanks both past and present Council members as well as staff for their efforts during that time, and for recognizing the history and heritage value of the property.
- The Association hopes that Saanich and other levels of government will work to acquire the former Hutchison dwelling when and if it is offered for sale and supports the proposed amendment to the North Quadra Local Area Plan.

APPLICANT’S RESPONSE:

Nil.

MOTION: **MOVED by Councillor Derman and Seconded by Councillor Wergeland: "That the North Quadra Local Area Plan be amended to include text, policy and mapping changes as outlined in the Planning Reports dated March 2, 2006 and June 1, 2006."**

CARRIED

No. 274
Bylaw No. 8793
Rogers Avenue/
XRef: PLD55

"OFFICIAL COMMUNITY PLAN BYLAW, 1993, AMENDMENT BYLAW, 2006, NO. 8793".
Second, Third, and Final Readings.

MOVED by Councillor Derman and Seconded by Councillor Wergeland: "That Bylaw No. 8793 be read a second time."

CARRIED

MOVED by Councillor Derman and Seconded by Councillor Wergeland: "That Bylaw No. 8793 be now passed."

CARRIED

MOVED by Councillor Derman and Seconded by Councillor Wergeland: "That Bylaw No. 8793 be adopted by Council and the Seal of the Corporation be attached thereto."

CARRIED

Minutes **ADOPTION OF MINUTES**

MOVED by Councillor Brownoff and Seconded by Councillor Gillespie: "That the Minutes of the Council and Committee of the Whole Meetings held July 24, 2006, be adopted."

CARRIED

BYLAWS

No. 275
PLD55
Bylaw 8776

4140 GLANFORD AVENUE (PORTION FRONTING RIEL PLACE).
Rescindment of Final Reading from the meeting held July 24, 2006 and reconsideration of Final Reading of the "Official Community Plan Bylaw, 1993, Amendment Bylaw, 2006, No. 8776". To amend the Carey Local Area Plan to remove the "institutional" designation of the westerly 0.443 ha portion.

MOVED by Councillor Ngai and Seconded by Councillor Wergeland: "That Council rescind its motion of July 24, 2006 to give Final Reading to "Official Community Plan Bylaw, 1993, Amendment Bylaw, 2006, No. 8776."

CARRIED

MOVED by Councillor Ngai and Seconded by Councillor Gillespie: "That Bylaw No. 8776 be adopted by Council and the Seal of the Corporation be attached thereto."

CARRIED

No. 276
ADM40 - Treasury
Bylaw 8783

RECREATION FACILITY EXPANSION AND LIBRARY CONSTRUCTION LOAN AUTHORIZATION BYLAW.

Final Reading of the "Recreation Facility Expansion and Library Construction Loan Authorization Bylaw, 2006, No. 8783". To authorize borrowing of \$2,069,300.

MOVED by Councillor Derman and Seconded by Councillor Brice: "That Bylaw No. 8783 be adopted by Council and the Seal of the Corporation be attached thereto."

CARRIED

No. 277
ADM 40 - Treasury
Bylaw 8784

TRAILS AND SPORT FACILITY IMPROVEMENTS LOAN AUTHORIZATION BYLAW.

Final Reading of the "Trails and Sport Facility Improvements Loan Authorization Bylaw, 2006, No. 8784". To authorize borrowing of \$322,000.

MOVED by Councillor Ngai and Seconded by Councillor Sanders: "That Bylaw No. 8784 be adopted by Council and the Seal of the Corporation be attached thereto."

CARRIED

No. 278
ADM 40 - Treasury
Bylaw 8785

SEWER CONSTRUCTION AND IMPROVEMENT LOAN AUTHORIZATION BYLAW.

Final Reading of the "Sewer Construction and Improvement Loan Authorization Bylaw, 2006, No. 8785". To authorize borrowing of \$1,000,000.

MOVED by Councillor Wergeland and Seconded by Councillor Brownoff: "That Bylaw No. 8785 be adopted by Council and the Seal of the Corporation be attached thereto."

CARRIED

No. 279
ADM 40
Bylaw 8789

SIGN BYLAW.

Final Reading of the "Sign Bylaw, 2006, No. 8789". To incorporate a number of housekeeping changes and consolidate Bylaw No. 8101.

MOVED by Councillor Derman and Seconded by Councillor Gillespie: "That Bylaw No. 8789 be adopted by Council and the Seal of the Corporation be attached thereto."

CARRIED

No. 280
ADM 40
Bylaw 8790

TICKET BYLAW AMENDMENT – SIGN BYLAW.

Final Reading of the "Ticket Bylaw, 2001, Amendment Bylaw, 2006, No. 8790". To include Sign Bylaw No. 8789.

MOVED by Councillor Wergeland and Seconded by Councillor Gillespie: "That Bylaw No. 8790 be adopted by Council and the Seal of the Corporation be attached thereto."

CARRIED

No. 281
ADM40
Bylaw 8794

DEVELOPMENT PERMIT DELEGATION AUTHORIZATION BYLAW AMENDMENT.

First Three Readings of the "Development Permit Delegation Authorization Bylaw, 2005, Amendment Bylaw, 2006, No. 8794". To delegate authority to the Director of Planning for Development Permit amendments or Development Variance Permits for sign applications.

MOVED by Councillor Sanders and Seconded by Councillor Brice: "That Bylaw No. 8794 be introduced and read."

CARRIED

MOVED by Councillor Sanders and Seconded by Councillor Brice: "That Bylaw No. 8794 be read a second time."

CARRIED

MOVED by Councillor Sanders and Seconded by Councillor Brice: "That Bylaw No. 8794 be now passed."

CARRIED

No. 282
ADM40
Bylaw 8795

WATER UTILITY BYLAW – HOUSEKEEPING AMENDMENT (IMPERIAL TO METRIC CONVERSION).

First Three Readings of the "Water Utility Bylaw, 2000, Amendment Bylaw, 2006, No. 8795". To convert the water rates from imperial to metric.

MOVED by Councillor Wergeland and Seconded by Councillor Sanders: "That Bylaw No. 8795 be introduced and read."

CARRIED

MOVED by Councillor Wergeland and Seconded by Councillor Sanders: "That Bylaw No. 8795 be read a second time."

CARRIED

MOVED by Councillor Wergeland and Seconded by Councillor Sanders: "That Bylaw No. 8795 be now passed."

CARRIED

No. 283
PLD55
Bylaw 8774

4865 CHERRY TREE BEND (A PORTION).

Final Reading of the "Official Community Plan Bylaw, 1993, Amendment Bylaw, 2006, No. 8774". To amend the Cordova Bay Local Area Plan to include the eastern 0.59 ha portion within the Urban Containment and Sewer Enterprise Boundaries.

MOVED by Councillor Gillespie and Seconded by Councillor Wergeland: "That Bylaw No. 8774 be adopted by Council and the Seal of the Corporation be attached thereto."

CARRIED

No. 284
EPW65/XRef:
Cherry Tree Bend
Bylaw 8775

4865 CHERRY TREE BEND (A PORTION).

Final Reading of the "Zoning Bylaw, 2003, Amendment Bylaw, 2006, No. 8775". Rezoning from A-1 to RS-12 and P-4N.

MOVED by Councillor Gillespie and Seconded by Councillor Brownoff: "That Bylaw No. 8775 be adopted by Council and the Seal of the Corporation be attached thereto."

CARRIED

No. 285
EPW65
Bylaw 8772

4865 CHERRY TREE BEND (A PORTION).
Final Reading of the "Sewer Enterprise Boundary Extension Bylaw, 2006, No. 8772". To include a portion of 4865 Cherry Tree Bend in the Sewer Enterprise Boundary.

MOVED by Councillor Wergeland and Seconded by Councillor Gillespie: "That Bylaw No. 8772 be adopted by Council and the Seal of the Corporation be attached thereto."

CARRIED

RESOLUTIONS FOR ADOPTION

No. 286
PQS100
Tender 13/06

TENDER 13/06 – COMPUTER REPLACEMENTS.
Report of the Director of Purchasing dated August 2, 2006 recommending Tender 13/06 for computer replacements be awarded to Dell Canada Inc. in the amount of \$663,871.

MOVED by Councillor Derman and Seconded by Councillor Brownoff: "That Tender 13/06 for computer replacements be awarded to Dell Canada Inc. in the amount of \$663,871."

CARRIED

No. 287
ADM75
Meeting
Cancellation

CANCELLATION OF THE AUGUST 21, 2006 COUNCIL/COMMITTEE OF THE WHOLE MEETINGS
Memorandum from the Manager of Legislative Services dated August 14, 2006 recommending that in accordance with the Procedure Bylaw, the regular August 21, 2006 Council/Committee of the Whole Meetings be cancelled.

MOVED by Councillor Wergeland and Seconded by Councillor Brice: "That the regular Council/Committee of the Whole Meetings scheduled for August 21, 2006 be cancelled."

CARRIED

Adjournment

On a motion from Councillor Wergeland, the meeting adjourned at 7:42 p.m.

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MAYOR

I hereby certify these Minutes are accurate.

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MUNICIPAL CLERK

THE FOLLOWING WAS REPORTED FROM THE 'IN CAMERA' COUNCIL MEETING HELD FEBRUARY 27, 2006

Gillie Road/
Wallingford
Avenue
Proposed
Purchase

GILLIE ROAD/WALLINGFORD AVENUE LOTS – PROPOSED PURCHASE.

MOVED by Councillor Derman and Seconded by Councillor Wergeland: “That:

- 1. Council endorse the following policy statement related to the acquisition of floodplain lots in the Gillie Road/Wallingford Avenue area:**

“Acquire and hold for future opportunities with respect to public open space, trails, agriculture and stormwater management.”

- 2. Council authorize staff to proceed with the purchase of the 18 lots identified on the sketch and Schedule “A” outlined in the January 5, 2006 report of the Lands Commissioner, with funding from the Land Sale Reserve Fund; and**
- 3. Council authorize staff to purchase additional flood plain lots in the Gillie Road/Wallingford Avenue area for the sum of \$8,500 or current appraised value, whichever is the lesser, as and when they become available.”**

CARRIED

as an Arts and Crafts style home; they will ensure that they comply with all size and height restrictions.

- She was not invited to attend a Community Association meeting to discuss the proposal but was advised by the president that she should consider holding a public meeting.

Mr. J. Moores, 3735 Ascot Drive, stated:

- He spoke with Ms. Mashford regarding the application but it was his understanding that there would be an onsite meeting with area residents to further discuss the details of the proposed subdivision.
- He hopes that Council will postpone further consideration of the application until there are specific details on issues such as stormwater retention, parking, placement of windows, trees, use of permeable pavers, etc.
- The proposed subdivision will not affect his property but it would be beneficial to have all of the neighbours participate in the process.

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

- The issue of panhandle lots is of great interest to her as she helped draft some of the panhandle lot guidelines a number of years ago.
- It may be time to revisit those guidelines and restrict new houses on panhandle lots to single storey so they do not overshadow neighbouring properties.
- It is an applicant's responsibility to have honest open dialogue with impacted neighbours; it is not up to members of the community to initiate a public consultation process.
- The applicant has not provided many specific details or a concept plan for the proposed subdivision; she hopes that Council will postpone further consideration until there has been more public consultation.

Mr. K. Whitcroft, president, Quadra Cedar Hill Community Association, stated:

- When the applicant had not contacted the Community Association by May 12, 2006 to discuss the proposed subdivision he initiated contact himself; the applicant informed him that conducting a public meeting was not a requirement so they would not be having one.
- The Association has many concerns and questions they would like answered with regard to the proposed subdivision and want some assurance of what will be built.
- The applicant has not provided any concept plans for the proposed new dwelling so the neighborhood has no idea of what is being proposed with regard to size, height, siting, trees, etc.
- They would also like more information on stormwater management and servicing requirements.

Mr. M. Mashford, owner, stated:

- He and his wife are not familiar with the various processes for subdivision and building permit applications and that is why they are relying on professionals to help them.
- He feels that the steps his wife took to contact everyone that took the time to write letters were adequate.
- They will do the best they can to ensure their house design is

tasteful and compatible with the neighbourhood.

MOTION: MOVED by Councillor Derman and Seconded by Councillor Brownoff: “That consideration of the Subdivision and Development Variance Permit Application for 3740 Epsom Drive be postponed, and the applicant be encouraged to hold a community meeting to provide area residents and the Community Association additional information about the proposal.”

Councillor Derman stated:

- Although he can appreciate the fact that the owners have little experience with the subdivision process, it is still important to consult with the neighbourhood and community association and applicants are encouraged to do so by staff.
- The neighbourhood has had some negative experiences with previous infill developments in the area over the past several years so it is reasonable for them to expect some assurances that it will not happen again.
- He does not want the application to be rejected; none of the neighbours have indicated they do not support infill on this site – they just want some details on what it will look like.
- It would be a good idea for the applicant to hold a public meeting with the Community Association and provide more specific information on their proposed subdivision.

Councillor Brownoff stated:

- Although there may not be any written policies requiring applicants to undertake a public consultation process it has come to be an expected practice.
- The applicant did not mean any disservice to the community but it would be a good idea for them to hold an onsite meeting with the Community Association and neighbouring residents to further discuss their proposal.
- Infill development can be very controversial and that it is why it is important to involve the neighbourhood in the process.

Councillor Wergeland stated:

- The subject property is a fairly large lot so an additional dwelling should not look like it is squeezed in.
- He agrees it would be in the applicants’ best interest to meet with the neighbours to explain to them what they hope to build, and then come back to Council with more details.

Mayor Leonard stated:

- He does not think it is necessary for the applicant to provide detailed house plans; an illustration of what they like based on other homes in the neighbourhood will provide a concept for the neighbours and give them an idea of proposed size and height.

Councillor Gillespie stated:

- Some of the residents in the area expressed concern with the height of a new dwelling and he hopes the applicant will keep that in mind.

Councillor Ngai stated:

- She also lives on Epsom Drive and the majority of the properties on the street are about 0.5 acres in size; she is not aware of any of the other residents on the street being unhappy with the process that the owners followed.
- She believes the owners did their part by contacting the people who took the time to write letters regarding the proposed subdivision; the neighbourhood had an opportunity to comment on it and were not excluded from the process.
- The Servicing Requirements for this particular application acknowledge that the subject property is within a Type I watershed area and stormwater management is outlined.
- The owners are a young family and she hopes the Community Association does not expect them to incur additional costs by having detailed house plans prepared before their subdivision application is approved.
- She will not support postponing consideration of the application.

Councillor Brice stated:

- She thinks the applicant should take the time to provide more details to staff as well as the Community Association and neighbours; right now the owners just have a vague concept of what they would like to build.
- Once staff has more information she would like them to comment on whether or not they would recommend the 10 percent road frontage exemption.

Councillor Sanders stated:

- She supports postponing further consideration of the application.
- Residents in the area are accustomed to being included in a public consultation process when new development is being proposed in their neighbourhood; there should be the same consistency with this application as well.

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

PLD60
Proposed Rural
Saanich Interface
Fire Hazard
Development Permit
Area

**PROPOSED RURAL SAANICH INTERFACE FIRE HAZARD
DEVELOPMENT PERMIT AREA.**

Joint report of the Director of Planning and the Fire Chief dated July 13, 2006 recommending the Rural Saanich Interface Fire Hazard Development Permit Area be approved, that a bylaw be introduced to delegate approval authority under this Permit Area to the Manager of Inspection Services, that application fees be established as outlined, and that the Building and Plumbing Bylaw be amended to require spark arresters on wood burning appliances installed within the Permit Area.

Fire Chief Ward stated:

- In response to the fires in the Kelowna area two years ago the Fire Department undertook a process to identify areas in Saanich with a high wildfire hazard.
- As a result of their review, the draft Rural Saanich Interface Fire Hazard Development Permit Area Guideline came forward through

the Strategic Plan and identifies those areas assessed to be high risk in Saanich.

- During the fires in Kelowna where entire subdivisions were lost, any dwellings that were constructed using fire resistant siding and roofing materials stood a much better chance of being saved.
- The technical committee spent a lot of time working on the proposed draft Guideline and he encourages Council to support it.

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

Councillor Derman stated:

- He supports the proposed Guideline.

Mayor Leonard stated:

- He is pleased to see the proposed Guideline come forward to Council.
- Even though the bylaw will pertain to new construction only, the Fire Department and staff will continue to promote fire smart initiatives to existing homeowners.

Councillor Brownoff stated:

- She congratulates the Fire Department for undertaking this process to identify high wildfire hazard areas in Saanich.
- It is also important for homeowners to be aware of preferred landscape materials in order to reduce the risk of potential fire.

The Motion was then PUT and CARRIED

Cordova Bay Road
Rezoning

5182 CORDOVA BAY ROAD (A PORTION) – REZONING APPLICATION – SAINT DAVID BY THE SEA ANGLICAN CHURCH.

Report of the Director of Planning dated July 18, 2006 recommending the Cordova Bay Local Area Plan be amended by removing the designation of Institutional and Assembly Land Use from the northerly 1840.3 m² ha of the site, and approval of the rezoning of that portion from RS-18 to RS-8 and Development Variance Permit DVP2006-00009.

Mr. T. Wilkinson, on behalf of Saint David by the Sea, stated:

- Because of a declining congregation and restricted financial capabilities, it is necessary for the Church to sell a portion of the property and existing house in order to rezone the property and create two additional lots.

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

CARRIED

Adjournment

On a motion from Councillor Gillespie, the meeting adjourned at 8:35 pm

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CHAIR

I hereby certify these Minutes are accurate.

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MUNICIPAL CLERK