

MINUTES OF THE COUNCIL MEETING
HELD IN THE COUNCIL CHAMBERS
SAANICH MUNICIPAL HALL, 770 VERNON AVENUE
MONDAY, DECEMBER 10, 2007 AT 7:30 P.M.

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

Minutes **ADOPTION OF MINUTES**

MOVED by Councillor Brice and Seconded by Councillor Hunter:
“That the Minutes of the Council and Committee of the Whole Meetings held December 3, 2007, be adopted.”

CARRIED

BYLAWS

No. 288
ADM40
Bylaw 8845

**ANIMALS BYLAW AMENDMENT - AGGRESSIVE DOGS -
RESCINDMENT OF FIRST READING OF BYLAW 8845 - MAY 28, 2007
COUNCIL MEETING**

Rescindment of First Reading of “Animals Bylaw, 2004, Amendment Bylaw, 2007, No. 8845”. The Bylaw was given First Reading at the May 28, 2007 Council Meeting and referred back to staff for consultation with stakeholder groups. A revised Animals Bylaw Amendment was subsequently prepared as a result of the consultation process.

MOVED by Councillor Derman and Seconded by Councillor Hunter:
“That Council rescind the May 28, 2007 First Reading of “Animals Bylaw, 2004, Amendment Bylaw, 2007, No. 8845”.

CARRIED

No. 289
ADM40
Bylaw 8845

ANIMALS BYLAW AMENDMENT – AGGRESSIVE DOGS

Three Readings of the “Animals Bylaw, 2004, Amendment Bylaw, 2007, No. 8845”. To include revised regulations for aggressive dogs.

MOVED by Councillor Derman and Seconded by Councillor Gillespie:
“That Bylaw No. 8845 be introduced and read.”

CARRIED

MOVED by Councillor Derman and Seconded by Councillor Gillespie:
“That Bylaw No. 8845 be read a second time.”

CARRIED

MOVED by Councillor and Seconded by Councillor: “That Bylaw No. 8845 be now passed.”

CARRIED

No. 290
ADM40
Bylaw 8846

TICKET BYLAW AMENDMENT – ANIMALS BYLAW

Three Readings of the “Ticket Bylaw, 2001, Amendment Bylaw, 2007, No. 8846”. To amend Schedule 8 to include offences for aggressive dogs.

MOVED by Councillor Wergeland and Seconded by Councillor Brownoff: “That Bylaw No. 8846 be introduced and read.”

CARRIED

MOVED by Councillor Wergeland and Seconded by Councillor Brownoff: “That Bylaw No. 8846 be read a second time.”

CARRIED

Councillor Derman stated:

- The proposed fine of \$50 pertaining to offences such as failure to care for an animal, provide proper shelter, tethering, etc. are very minimal; he hopes that staff will consider adjusting the amount of the fines so they are in relation to the degree of severity of the offence.

MOVED by Councillor Wergeland and Seconded by Councillor Brownoff: “That Bylaw No. 8846 be now passed.”

CARRIED

No. 291
ADM40/
XRef: PLD40
Bylaw 8890

CARBON NEUTRAL RESERVE FUND BYLAW.

Three Readings of the “Carbon Neutral Reserve Fund Bylaw, 2007, No. 8890”. To establish a reserve fund for expenditures related to new greenhouse gas reduction projects.

MOVED by Councillor Brownoff and Seconded by Councillor Hunter: “That Bylaw No. 8890 be introduced and read.”

CARRIED

MOVED by Councillor Brownoff and Seconded by Councillor Hunter: “That Bylaw No. 8890 be read a second time.”

CARRIED

Councillor Sanders stated:

- The Joint Advisory Committee on Climate Change (JACC) will be developing a prototype of the community concept system by March 31, 2008; it will give local citizens an opportunity to reduce their own carbon footprint through tax deductible donations to the Municipality.

Councillor Wergeland stated:

- If Council wants to set an example for the Municipality, they need to explore as individuals and as a government body, what measures they are prepared to take in order to become carbon neutral.

In response to a question from Council, the Administrator stated:

- The issue of Council travel was not included in the CRD’s Community Energy Audit and Inventory; as we progress with the Sustainable Saanich Action Plan staff will be reviewing all of its operations and the issue of travel is one of the targets that could be refined.

Mayor Leonard stated:

- The FCM has also created a carbon aggregator for the trading of carbon credits amongst municipalities including travel credits; perhaps as the Joint Advisory Committee continues to work on the Carbon Neutral Plan, the issue of travel can be considered as well.

**MOVED by Councillor Brownoff and Seconded by Councillor Hunter:
"That Bylaw No. 8890 be now passed."**

CARRIED

No. 292
ADM40
Bylaw 8897

SANITARY SEWER BYLAW AMENDMENT – 2008 SANITARY SEWER RATES.

Three Readings of the "Sanitary Sewer Bylaw, 2006, Amendment Bylaw, 2007, No. 8897". To establish the 2008 sanitary sewer rates.

**MOVED by Councillor Brownoff and Seconded by Councillor Brice:
"That Bylaw No. 8897 be introduced and read."**

CARRIED

**MOVED by Councillor Brownoff and Seconded by Councillor Brice:
"That Bylaw No. 8897 be read a second time."**

CARRIED

**MOVED by Councillor Brownoff and Seconded by Councillor Brice:
"That Bylaw No. 8897 be now passed."**

CARRIED

No. 293
ADM40
Bylaw 8898

WATER UTILITY BYLAW AMENDMENT – 2008 WATER UTILITY RATES.

Three Readings of the "Water Utility Bylaw, 2000, Amendment Bylaw, 2007, No. 8898". To establish the 2008 water utility rates.

MOVED by Councillor Wergeland and Seconded by Councillor Derman: "That Bylaw No. 8898 be introduced and read."

CARRIED

MOVED by Councillor Wergeland and Seconded by Councillor Derman: "That Bylaw No. 8898 be read a second time."

CARRIED

MOVED by Councillor Wergeland and Seconded by Councillor Derman: "That Bylaw No. 8898 be now passed."

CARRIED

No. 294
Canterbury Road
Bylaw 8896

842 CANTERBURY ROAD.

First Reading of the "Zoning Bylaw, 2003, Amendment Bylaw, 2007, No. 8896". Rezoning from RS-6 to RS-2.

MOVED by Councillor Gillespie and Seconded by Councillor Brownoff: "That Bylaw No. 8896 be introduced and read."

CARRIED

RESOLUTIONS FOR ADOPTION

No. 295
PQS100
Tender 43/07

TENDER 43/07 – DYSART PUMP STATION.
Report of the Director of Purchasing dated December 5, 2007 recommending Tender 43/07 for the Dysart Road Sewage Lift Station be awarded to York Excavating Limited in the amount of \$594,979.06.

MOVED by Councillor Derman and Seconded by Councillor Gillespie: “That Tender 43/07 for the Dysart Road Sewage Lift Station be awarded to York Excavating Limited in the amount of \$594,979.06.”

CARRIED

Adjournment On a motion from Councillor Gillespie, the meeting adjourned at 7:45 p.m.
The Meeting reconvened at 8:31 p.m.

From the Committee of the Whole Meeting held December 10, 2007

Recommendations **RECOMMENDATIONS**

No. 296
West Saanich
Road
Development
Permit Amend.

4396 WEST SAANICH ROAD – DEVELOPMENT PERMIT AMENDMENT – DE HOOG & KIERULF ARCHITECTS

MOVED by Councillor Derman and Seconded by Councillor Brownoff: “That Council approve and issue Amended Development Permit DPR2006-00027 on Lot 1, Section 8-A, Lake District, Plan VIP82961 and That Part of Section 8A, Lake District, Shown on Plan VIP83562 (4396 West Saanich Road).”

CARRIED

In Camera Motion **MOVED by Councillor Brownoff and Seconded by Councillor Gillespie: “That the following meeting be closed to the public as the subject matter relates to the proposed acquisition of land and/or improvements, to discussions respecting the potential provision of a municipal service and to labour relations.”**

CARRIED

Adjournment On a motion from Councillor Brownoff, the meeting adjourned at 8:32 p.m.

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MAYOR

I hereby certify these Minutes are accurate.

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MUNICIPAL CLERK

MINUTES OF THE COMMITTEE OF THE WHOLE MEETING
HELD IN THE COUNCIL CHAMBERS
SAANICH MUNICIPAL HALL, 770 VERNON AVENUE
MONDAY, DECEMBER 10, 2007 AT 7:46 P.M.

Present: **Chair:** Councillor Brice
Council: Mayor Leonard and Councillors, Brownoff, Derman, Gillespie, Hunter, Ngai (8:28 p.m.), Sanders and Wergeland
Staff: Tim Wood, Administrator; Russ Fuoco, Director of Planning; Colin Doyle, Director of Engineering; Carrie MacPhee, Manager of Legislative Services; and Shirley Leggett, Senior Committee Clerk.

West Saanich Road
Development Permit
Amendment

4396 WEST SAANICH ROAD – DEVELOPMENT PERMIT AMENDMENT – DE HOOG & KIERULF ARCHITECTS.

Reports of the Director of Planning dated November 28, 2007 recommending approval of Development Permit Amendment DPA2007-00021; and the Advisory Design Panel dated September 24, 2007 recommending approval of the design.

Mr. C. Lee, Tri-Eagle Development Corporation, owner, stated:

- They are happy to present one of the first privately funded LEED buildings in the District of Saanich.

Mr. C. Kierulf, de Hoog & Kierulf Architects, stated:

- The revised plans for proposed Building 'C' are for a three storey, commercial/office building with a restaurant/café on the ground floor.
- The amended site plan is different in three key areas: the driveway access has been moved further to the south; the future expansion that was originally proposed on the south side of existing Building A has been deleted and the parking area fronting it has been increased; and, proposed Building C has been increased from two storeys to three storeys.
- Because the property slopes slightly, the proposed building will appear as a 2½ storey building from West Saanich Road; it will be a contemporary design with a stained cedar box feature surrounding the second storey, stone veneers, and extensive energy efficient glazing.
- They are proposing a LEED Silver certification; there will be a green roof and permeable pavers in the new parking areas adjacent to Building C and the east side of Building A.
- The Saanich Centennial Trail runs past the subject property; there will be a bicycle parking area provided adjacent to the trail.

Ms. B. Windjack, LADR landscape Architects, stated:

- The proposed landscaping accomplishes three things: it creates a strong internally oriented entrance and presence for the building; it integrates well with the adjacent Centennial Trail; and, meets several sustainable initiatives.
- Different paving methods will demarcate the outdoor seating areas associated with the future café; there will also be seating areas at the north end of the plaza strip.
- There is a significant Willow tree across from the proposed access

- that will serve as a landmark to the property.
- There will be two handicap parking stalls located near the entrance to the plaza; the parking stalls will be paved with a true permeable system; the internal road will be asphalt.
- There will be decorative light standards throughout the site as well as soffit lighting on the proposed building.
- They will be planting ten fast growing Glory Red maple trees as replacement landscape trees around the perimeter of Building C; native shrubs will be planted in the areas to the north and east of the building in order to slow runoff from the slope into a granite channel that will feed rain gardens at the north and southwest corner of the building.
- The green roof will be planted with six inches of soil that will support low growing perennials and native plants.

In response to questions and comments, Mr. Kierulf stated:

- One of the comments they received from the Advisory Design Panel was with regard to the pedestrian friendliness of the ground floor of Building C; in addition to the proposed landscaping they have added some benches along the commercial frontage between the parking area and the storefront.
- One of the challenges associated with the site is the fact that LEED does not promote the development of green field sites; they prefer to promote brown field sites or urban sites.
- They will get very few LEED points for their site development so they are trying to maximize the interior quality of the spaces: natural daylighting, high performance glazing, operable windows, etc.
- The air conditioning units will be a split system so there will be a smaller condensing unit on the roof and the fans will be inside the ceiling space; this will reduce fan noise and the enclosure tends to dampen the sound and reduce its direct line of sight and line of sound.

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

- They have hired a security firm to patrol the property and they are considering keeping them on once the construction is completed.
- They are not planning to have a roof over the proposed bicycle parking area near the restaurant as they were concerned that it would mean a lot of structures right up tight to the trail; they envision having a covered structure as part of the final phase of the development between the two larger buildings.
- In the lower level of the existing office building there is a full fitness area with change rooms and lockers; that amenity will be shared between all of the buildings on the site.

Ms. K. Whitworth, President, Royal Oak Community Association, stated:

- No additional follow-up meeting has been held since the Association's initial meeting with the applicants; it took almost two months for Mr. Mawson, the agent for Tri-Eagle Plaza Inc., to respond to her letter; because of her work schedule there was no opportunity to meet with him.
- The owners did hold a meeting with the neighbours and were able to

respond to some of their questions.

- The Association reluctantly gives their support to the proposal; they encourage the owners to engage the community prior to any plans being submitted for proposed Building E, however, the Association will not support an eight, ten or twelve storey building.

Mr. C. Lee stated:

- The immediate neighbours were notified of the revised proposal and they held an Open House on September 8, 2007.

Councillor Hunter stated:

- He thanks the applicants for their revised proposal; it is innovative and shows leadership.
- The proposed variances are supportable and the recommendations from the Advisory Design Panel have been dealt with.
- He also commends the applicants for their open door policy and the fact that the community is welcome to stop by their on-site office if they have any questions or concerns with regard to the proposed development.

MOTION:

MOVED by Councillor Derman and Seconded by Councillor Gillespie: “That it be recommended that Council approve and issue Amended Development Permit DPR2006-00027 on Lot 1, Section 8-A, Lake District, Plan VIP82961 and That Part of Section 8A, Lake District, Shown on Plan VIP83562 (4396 West Saanich Road).”

Councillor Derman stated:

- He is happy to see that the proposed building is three storeys; it is intended to be a high quality building with strong architectural features.
- It is a pleasure to see a developer who looks forward to the future with regard to energy efficient features and he is happy to support the development.
- Proposed Building E could be more controversial and he encourages the applicants to involve the community as much as possible in the process.

Councillor Brownoff stated:

- She supports the proposed development; the subject property is a key property in the Royal Oak area; the existing huge Willow tree is also a significant feature.
- The proposed restaurant/café will be a nice amenity for people using the Centennial Trail; LEED certification is a positive step forward.
- She is happy to see the proposed green roof; perhaps the applicants could consider some kind of cover over the proposed bicycle parking area near the restaurant.
- It is important for the community to be involved and she hopes they will be given an opportunity prior to the next phase of the development coming forward.

Councillor Sanders stated:

- She supports the proposal and is happy to see that the applicants

are seeking LEED certification.

- She agrees that the subject property is in a key location in Royal Oak; the innovative design and green roof will enhance the area and she likes the appearance of the extensive glazing.
- The public process could have been better and she hopes the community will be involved in future phases of the development.

Councillor Gillespie stated:

- He is happy with the proposed stormwater management and landscaping; the architecture of the proposed building will enhance the Royal Oak area.

Councillor Wergeland stated:

- He congratulates the applicants for their innovative proposal and thanks them for the comprehensive photo montage.

Councillor Brice stated:

- She supports the proposed development and hopes the applicants achieve their goal of LEED Silver certification.
- She likes the clean, uncluttered appearance of the proposed building; it will not be obtrusive to people using the Centennial Trail.

The Motion was then PUT and CARRIED

Mt. Douglas Cross Road
Proposed Heritage Designation

1560 MT. DOUGLAS CROSS ROAD – PROPOSED DESIGNATION OF THE DWELLING AS A MUNICIPAL HERITAGE SITE.

Report of the Director of Planning dated November 29, 2007 recommending Council designate the dwelling at 1560 Mt. Douglas Cross Road as a municipal heritage site.

Ms. P. Summers, owner, 1560 Mt. Douglas Cross Road, stated:

- She has been fortunate to live in the subject dwelling for the past 11 years and feels strongly that it should be protected for future generations.

MOTION:

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

Councillor Derman stated:

- He thanks the applicants for coming forward with their application; it is nice to see that there are owners of heritage dwellings who want to ensure that the history of their homes is preserved.

Councillor Sanders stated:

- She is delighted that the subject dwelling will be designated; it is a lovely old house and she is glad that it will be preserved.

The Motion was then PUT and CARRIED

Adjournment

On a motion from Councillor Hunter, the meeting adjourned at 8:30 p.m.

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CHAIR

I hereby certify these Minutes are accurate.

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MUNICIPAL CLERK