

MINUTES OF THE COUNCIL MEETING
HELD IN THE COUNCIL CHAMBERS
SAANICH MUNICIPAL HALL, 770 VERNON AVENUE
MONDAY, OCTOBER 1, 2007 AT 7:30 P.M.

Present: **Chair:** Mayor Leonard
 Council: Councillors Brice, Brownoff, Derman, Gillespie, Hunter, Ngai (8:02 p.m.), Sanders and Wergeland
 Staff: Tim Wood, Administrator; Colin Doyle, Director of Engineering; Carrie MacPhee, Manager of Legislative Services; Anne Topp, Manager of Community Planning; and Shirley Leggett, Senior Committee Clerk.

PUBLIC HEARING

No. 221
Hartland Avenue
Subdivision

PROPOSED TWO LOT RESIDENTIAL SUBDIVISION ON HARTLAND AVENUE

To rezone a portion of Lot 2, Sections 128 and 129, Lake District, Plan 29006 (**10 HARTLAND AVENUE**) from zone A-1 (Rural – minimum lot size 2 ha) to zone A-4 (Rural – minimum lot size 4 ha) for a proposed two lot residential subdivision to provide a separate residence for a qualifying relative pursuant to Section 946 of the Local Government Act.

The Notice of Public Hearing; report of the Director of Planning dated August 29, 2007, recommending that the application to rezone from A-4 and A-1 to A-4 be approved; and correspondence from the Capital Regional District dated June 25, 2007 requesting that the District of Saanich give reasonable consideration to the imposition of a restrictive covenant on the property at #10 Hartland Road as a condition of rezoning and subdivision approval, were introduced.

APPLICANT:

Hugh and Giselle Carson, 10 Hartland Avenue, stated:

- They are opposed to the restrictive covenant based on principle; they were told by the CRD that the garden waste area would be moved or phased out and it still has not happened.
- If they do not agree to the covenant will it impede approval of their rezoning application?
- They have been in contact with the CRD but are still waiting to get additional information from them.

Councillor Brownoff stated:

- She suggests that the applicants speak with the CRD and get the issue of the restrictive covenant resolved.

Mayor Leonard stated:

- It has been recommended by staff and the CRD that a restrictive covenant be placed on a portion of the property; if the applicants have concerns with the proposed covenant, he suggests that the Public Hearing be adjourned until they have it sorted out.

Hugh and Giselle Carson stated:

- They would like to have the Public Hearing adjourned until they have

spoken further with staff and the CRD with regard to the issue of the restrictive covenant.

MOVED by Councillor Hunter and Seconded by Councillor Brownoff: "That the Public Hearing be adjourned."

CARRIED

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 September 17, 2007, be adopted."

CARRIED

APPEALS

No. 223
West Saanich
Road
Remedial Action
Order

4997 WEST SAANICH ROAD – REMEDIAL ACTION ORDER

Ms. C. Thompson, on behalf of Ron Jay, stated:

- She is appealing Council's previous decision on behalf of the owner.
- They would like to have an extension of the remedial action order so that they have more time to remove the vehicles and vehicle parts.
- They are also planning to construct a six foot high fence around the property.

MOVED by Councillor Derman and Seconded by Councillor Wergeland: "That Council confirm its August 13, 2007 decision to pass the following resolution imposing remedial action requirements:

1. Council hereby declares the unlicensed vehicles, vehicle parts and disused items stored outside on the lands described as Lot 1, Section 104, Plan 23202, having a street address of 4997 West Saanich Road, (herein called "the lands") to be a nuisance pursuant to Section 74(1)(d) of the *Community Charter* 2003 SBC.c.26;
2. The Council hereby directs Mrs. Annette Jay (herein called "the owner of the lands") to remove all the unlicensed vehicles, vehicle parts, and disused items stored outside on the lands within sixty (60) days from the date on which notice of this order is served upon the owner of the lands; and
3. If the owner of the lands fails to comply with the requirements of Section 2, the Municipality may through its employees, agents, or contractors, enter upon the lands and carry out the work described in Section 1 at the expense of the owner pursuant to Section 17 of the *Community Charter*."

In response to questions from Council, the Senior Bylaw Enforcement Officer stated:

- When bylaw enforcement action is initiated it is the practice of staff to work with the property owner to resolve the issues; they also try to accommodate the owners if they need additional time.

- There has been no change in the condition of the property since the last inspection and there has been no contact from either the owner or occupants of the property.

The Motion was then PUT and CARRIED

Bylaws

BYLAWS

No. 224
EPW65/XRef:
Sinclair Road
Bylaw 8880

SANITARY SEWER BYLAW AMENDMENT (2401 SINCLAIR ROAD – A PORTION).

Three Readings of the “Sanitary Sewer Bylaw, 2006, Amendment Bylaw, 2007, No. 8880”. To include in the Sewer Service Area the portion of UVic lands located in the District of Oak Bay.

MOVED by Councillor Derman and Seconded by Councillor Brice:
“That Bylaw No. 8880 be introduced and read.”

CARRIED

MOVED by Councillor Derman and Seconded by Councillor Brice:
“That Bylaw No. 8880 be read a second time.”

CARRIED

MOVED by Councillor Derman and Seconded by Councillor Brice:
“That Bylaw No. 8880 be now passed.”

CARRIED

No. 225
ADM40/XRef:
Sinclair Road
Bylaw 8881

WATER UTILITY BYLAW AMENDMENT (2401 SINCLAIR ROAD – A PORTION).

Three Readings of the “Water Utility Bylaw, 2000, Amendment Bylaw, 2007, No. 8881”. To include in the Water Service Area the portion of UVic lands located in the District of Oak Bay.

MOVED by Councillor Wergeland and Seconded by Councillor Brownoff: “That Bylaw No. 8881 be introduced and read.”

CARRIED

MOVED by Councillor Wergeland and Seconded by Councillor Brownoff: “That Bylaw No. 8881 be read a second time.”

CARRIED

MOVED by Councillor Wergeland and Seconded by Councillor Brownoff: “That Bylaw No. 8881 be now passed.”

CARRIED

No. 226
ADM40
 Bylaw 8875

ZONING BYLAW AMENDMENT – NEW RM-RH ZONE (MIXED RESIDENTIAL RAINBOW HILL).

First Reading of the “Zoning Bylaw, 2003, Amendment Bylaw, 2007, No. 8875”. To create a new RM-RH Zone (mixed residential Rainbow Hill).

MOVED by Councillor Gillespie and Seconded by Councillor Brice: “That Bylaw No. 8875 be introduced and read.”

CARRIED

No. 227
Rainbow Street/
McKenzie Ave.
 Bylaw 8876

4021 AND 4045 RAINBOW STREET/850 MCKENZIE AVENUE.

First Reading of the “Zoning Bylaw, 2003, Amendment Bylaw, 2007, No. 8876”. Rezoning from A-1 and RT-1 to RM-RH.

MOVED by Councillor Sanders and Seconded by Councillor Gillespie: “That Bylaw No. 8876 be introduced and read.”

CARRIED

No. 228
PLD60XRef:
Markham Street
 Bylaw 8883

4464 MARKHAM STREET – RURAL SAANICH LOCAL AREA PLAN AMENDMENT.

First Reading of the “Official Community Plan Bylaw, 1993, Amendment Bylaw, 2007, No. 8883”. To amend the Rural Saanich Local Area Plan to delete Policy 2.5 and Figure 8A (2001 Master Site Plan).

MOVED by Councillor Wergeland and Seconded by Councillor Sanders: “That Bylaw No. 8883 be introduced and read.”

CARRIED

RESOLUTIONS FOR ADOPTION

No. 229
PQS100
 Portable Firing
 Range

DIRECT AWARD CONTRACT – PORTABLE FIRING RANGE.

Report of the Director of Purchasing dated September 26, 2007 recommending the purchase of a portable firing range, by direct award, to Meggitt Defense in the amount of \$266,120 USD.

MOVED by Councillor Brice and Seconded by Councillor Derman: “That Council approve the purchase of a portable firing range, by direct award, to Meggitt Defense in the amount of \$266,120 USD.”

In response to questions from Council, Police Inspector McColl, stated:

- The Portable Firing Range is housed in a 40-foot trailer and can be used by up to three people at a time.
- There may be an opportunity for other police departments to use the equipment although they have not fully addressed the capacity of the range.
- The Portable Firing Range is a training tool that is governed by a computer and can simulate targets and various situational scenarios.
- A full-service outdoor firing range is being considered in conjunction with other municipalities.

The Motion was then PUT and CARRIED

RECOMMENDATIONS FROM COMMITTEES

No. 230
PLD40
Saanich Green
Building Policy

SAANICH GREEN BUILDING POLICY – PRIVATE SECTOR

Memoranda from the Planning, Transportation and Economic Development Advisory Committee and the Environmental Advisory Committee dated September 26, 2007 and August 7, 2007 respectively, and report from the Director of Planning dated June 11, 2007 recommending that Council endorse the Green Building Policy for the Private Sector.

MOVED by Councillor Sanders and Seconded by Councillor Wergeland: “That Council adopt the proposed Green Building Policy for the Private Sector.”

Councillor Brownoff stated:

- Involving the private sector is the second phase of Saanich’s Green Building Policy and it is a positive step forward.
- She hopes that Saanich’s Green Building Policy will be updated when the province mandates future energy guidelines.

Councillor Derman stated:

- He thanks staff, the advisory committees, and the CRD for being involved with the initiative.
- The critical factor with green applications is location; you can build a green building in a certain location but it may require a lot of transportation and automobile use.
- He hopes that staff will also consider the energy involved in the construction materials; for example, some hybrid vehicles may be green in operation but they are not green in their construction or in their recycling.

Councillor Hunter stated:

- He thanks everyone that has been involved in the Green Building initiative.
- At the recent Union of British Columbia Municipalities’ Annual Convention there were many municipalities talking about adopting a Green Building Policy; Saanich is on the leading edge in that respect.

The Motion was then PUT and CARRIED

No. 231
ADM115 – CRD
Energy Plan

CAPITAL REGION COMMUNITY ENERGY PLAN

Memoranda from the Planning, Transportation and Economic Development Advisory Committee and the Environmental Advisory Committee dated September 26, 2007 and August 7, 2007 respectively, recommending that Council support the Capital Region Community Energy Plan of December 21, 2006, including the Comprehensive Implementation Scenario (no net increase in Energy Consumption).

Councillor Brownoff stated:

- In 2003, the CRD Board commissioned the Capital Region Community Energy Plan; Saanich and the City of Victoria led the process because they are both partners of the Federation of Canadian Municipalities (FCM's) Partner in Climate Protection.
- She would like to amend the proposed motion and have it referred to the CRD Board to be captured as part of the Forum of Councils on November 3 when they will be dealing with climate change issues.
- We should also send the message that we support this document; the comprehensive version of the document actually shows the kind of dollar savings that will happen per capita within the region.

MOVED by Councillor Sanders and Seconded by Councillor Wergeland: "That Council support the Capital Region Community Energy Plan of December 21, 2006, including the Comprehensive Implementation Scenario (no net increase in Energy Consumption) and that the CRD Board be requested to include the Plan as part of the Forum of Councils on November 3, 2007."

Councillor Brice stated:

- She is pleased to support the motion; it mirrors the position taken by the CRD's Environment Committee.
- When the Forum of Councils meeting is held on November 3, many of the issues that each of the municipalities and the CRD have been dealing with in terms of climate change will be discussed.
- The issue may come back to Council for a decision on what role the CRD will play in the climate change initiative; we will need to determine the boundaries between the role of the municipalities and the role of the region.

Councillor Derman stated:

- He is happy to support the initiative.
- Because of the lifetime of greenhouse gases and their effect, we have about another 30 years of warming which will likely result in an additional 0.6 degrees of warming.
- We will need to accomplish somewhere between 80 and 90 percent reduction in carbon by 2040 to 2050.
- He hopes this is just the first step in an accelerated response by our community and others around the world in order to address the problem.

The Motion was then PUT and CARRIED

Adjournment On a motion from Councillor Gillespie, the meeting adjourned at 8:05 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, OCTOBER 1, 2007 AT 8:06 P.M.

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

Stockton Crescent
 Rezoning

3906 STOCKTON CRESCENT – REZONING APPLICATION – KEITH BAKER, KB DESIGN.

Report of the Director of Planning dated September 4, 2007 recommending approval of the rezoning from RS-6 to RS-8 and Development Variance Permit DVP2007-00012.

Mr. K. Baker, KB Design, applicant, stated:

- The proposal is to rezone the subject property and construct an addition that will include a new entry porch and foyer at the front of the dwelling, and a new dining room, master bedroom, media room, garage/workshop and deck at the rear of the house.
- They sent out notices to neighbourhood residents and held a meeting with them to discuss the proposal; no one was opposed and they received nine letters of support.

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

- They are prepared to attach a building scheme to ensure that what they have presented will be constructed.
- They will also provide more information at the Public Hearing with regard to the energy efficient measures that will be incorporated into the construction of the addition.
- He will speak to the owners about a covenant to restrict the size and siting of the addition prior to the Public Hearing.

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

- The intent of the proposed rezoning is to increase the footprint of the existing dwelling which will also increase the impervious area.
- There is no mention in the Development Servicing Requirements for stormwater management to be applied to the site.
- He has no objection to the proposed rezoning but there should be onsite stormwater management to ensure future controls on the property.
- We all need to take responsibility for the health of our watersheds.

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

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

- Stormwater management requirements are not normally required for minor developments or minor changes to a structure.

Councillor Derman stated:

- Stormwater management may not be a requirement for this particular application but it would be feasible to consider it; perhaps the applicant could address it at the Public Hearing.

Councillor Sanders stated:

- The proposal is for a fairly large addition to the existing dwelling and she agrees that stormwater management would be suitable.

The Motion was then PUT and CARRIED

Adjournment

On a motion from Councillor Gillespie, the meeting adjourned at 8:15 p.m.

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CHAIR

I hereby certify these Minutes are accurate.

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MUNICIPAL CLERK