

MINUTES OF THE COUNCIL MEETING
HELD IN THE COUNCIL CHAMBERS
SAANICH MUNICIPAL HALL, 770 VERNON AVENUE
MONDAY, MAY 5, 2008 AT 7:30 P.M.

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

Minutes **ADOPTION OF MINUTES**

MOVED by Councillor Brice and Seconded by Councillor Brownoff: "That the Minutes of the Council and Committee of the Whole Meetings held April 28, 2008, be adopted."

CARRIED

BYLAWS

No. 106
ADM40
Bylaw 8924

FINANCIAL PLAN BYLAW (2008 – 2012).
Final Reading of the "Financial Plan Bylaw, 2008, No. 8924". To establish the five year financial plan for 2008 – 2012.

MOVED by Councillor Brownoff and Seconded by Councillor Gillespie: "That Bylaw No. 8924 be adopted by Council and the Seal of the Corporation be attached thereto."

CARRIED

No. 107
ADM40
Bylaw 8925

SANITARY SEWER BYLAW AMENDMENT (SCHEDULE F – TRANSITIONAL SEWER SERVICE AREA CHARGES).
Final Reading of the "Sanitary Sewer Bylaw, 2006, Amendment Bylaw, 2008, No. 8925". To amend Schedule F (Transitional Sewer Service Area Charges).

MOVED by Councillor Brownoff and Seconded by Councillor Gillespie: "That Bylaw No. 8925 be adopted by Council and the Seal of the Corporation be attached thereto."

CARRIED

No. 108
ADM40
Bylaw 8926

GARBAGE COLLECTION AND DISPOSAL BYLAW AMENDMENT.
Final Reading of the "Garbage Collection and Disposal Bylaw, 2005, Amendment Bylaw, 2008, No. 8926". To increase the annual rate from \$122.60 to \$127.75.

MOVED by Councillor Brownoff and Seconded by Councillor Sanders: "That Bylaw No. 8926 be adopted by Council and the Seal of the Corporation be attached thereto."

CARRIED

No. 109
ADM40
Bylaw 8927

TAX BYLAW.

Final Reading of the "Tax Bylaw, 2008, No. 8927". To establish the tax rates for 2008.

MOVED by Councillor Wergeland and Seconded by Councillor Gillespie: "That Bylaw No. 8927 be adopted by Council and the Seal of the Corporation be attached thereto."

CARRIED

No. 110
ADM40
Bylaw 8919

DOCUMENT COPYING FEE BYLAW.

Final Reading of the "Document Copying Fee Bylaw, 2008, No. 8919". To incorporate fees into a bylaw that was previously charged pursuant to an administrative policy.

MOVED by Councillor Sanders and Seconded by Councillor Brice: "That Bylaw No. 8919 be adopted by Council and the Seal of the Corporation be attached thereto."

CARRIED

No. 111
Carloss PI/EPW65
Bylaw 8928

SANITARY SEWER BYLAW AMENDMENT – 4739 CARLOSS PLACE.

Three Readings of the "Sanitary Sewer Bylaw, 2006, Amendment Bylaw, 2008, No. 8928". To include 4739 Carloss Place in the Sewer Service Area.

MOVED by Councillor Derman and Seconded by Councillor Brice: "That Bylaw No. 8928 be introduced and read."

CARRIED

MOVED by Councillor Derman and Seconded by Councillor Brice: "That Bylaw No. 8928 be read a second time."

CARRIED

MOVED by Councillor Derman and Seconded by Councillor Brice: "That Bylaw No. 8928 be now passed."

CARRIED

RESOLUTIONS FOR ADOPTION

No. 112
PQS100
Tender 3/08

TENDER 3/08 – CONCRETE CURB, GUTTER AND SIDEWALK.

Report of the Director of Purchasing dated April 23, 2008 recommending Tender 3/08 for the construction of concrete curbs, gutters and sidewalks be awarded to Island Asphalt Company (dba O.K. Industries Ltd.) in the amount of \$545,017.20.

MOVED by Councillor Brownoff and Seconded by Councillor Derman: "That Tender 3/08 for the construction of concrete curbs, gutters and sidewalks be awarded to Island Asphalt Company (dba O.K. Industries Ltd.) in the amount of \$545,017.20."

CARRIED

No. 113
PQS100
Tender 6/08

TENDER 6/08 – COLD ASPHALT MILLING.

Report of the Director of Purchasing dated April 25, 2008 recommending Tender 6/08 for cold asphalt milling be awarded to Capital City Paving in the amount of \$282,700.

MOVED by Councillor Gillespie and Seconded by Councillor Derman: “That Tender 6/08 for cold asphalt milling be awarded to Capital City Paving in the amount of \$282,700.”

CARRIED

No. 114
PQS100
Tender 7/08

TENDER 7/08 – SUPPLY OF HOT AND COLD MIX ASPHALT – F.O.B. PLANT.

Report of the Director of Purchasing dated April 24, 2008 recommending Tender 7/08 for the supply of hot and cold mix asphalt – F.O.B. Plant be awarded to Island Asphalt Company (dba O.K. Industries Ltd.) in the amount of \$535,416.

MOVED by Councillor Wergeland and Seconded by Councillor Sanders: “That Tender 7/08 for the supply of hot and cold mix asphalt – F.O.B. Plant be awarded to Island Asphalt Company (dba O.K. Industries Ltd.) in the amount of \$535,416.”

CARRIED

No. 115
FIN105
Grant Application

HEALTH FOOD AND BEVERAGE SALES GRANT APPLICATION.

Report of the Director of Parks and Recreation dated April 22, 2008 recommending Council approve the Parks and Recreation Healthy Food and Beverage Sales Grant application in the amount of \$12,500 as outlined.

MOVED by Councillor Brice and Seconded by Councillor Derman: “That Council approve the Saanich Parks and Recreation Healthy Food and Beverage Sales Grant application in the amount of \$12,500 as outlined in the report of the Director of Parks and Recreation dated April 22, 2008.”

CARRIED

RECOMMENDATIONS FROM COMMITTEES

From the Environmental Advisory Committee Meeting held April 22, 2008

No. 116
ADM115 – CRD
/ADM58
Battery Recycling

BATTERY RECYCLING

Report of the Environmental Advisory Committee dated April 30, 2008 recommending that a letter be sent to the Capital Regional District asking them to consider a regional battery recycling program.

MOVED by Councillor Sanders and Seconded by Councillor Brownoff: “That a letter be sent to the Capital Regional District Environment Committee asking them to consider a regional battery recycling program.”

Councillor Sanders stated:

- Over the past year the Environmental Advisory Committee has been researching the issue of disposable batteries; only about two percent of Canadians recycle batteries and the remainder are disposed of in the solid waste stream.
- Batteries contain heavy metals which eventually leach out into the environment; these heavy metals have been deemed to be a toxic substance under the Canadian Environmental Protection Act and are classified as hazardous household waste under BC's Environmental Management Act.
- The two most common batteries are disposable and rechargeable batteries; rechargeable batteries are more environmentally friendly and there are options for recycling them.
- Legislation requires that hazardous waste be collected and transported under strict guidelines which prevent the option for a curbside recycling program; some municipalities offer household hazardous waste programs and designated collection depots.
- The majority of consumers do not understand the impacts to the environment from the disposal of batteries; there needs to be more education to promote consumer awareness and responsibility.
- One of the barriers to facilitate disposal battery recycling is the associated financial cost of transporting hazardous waste; battery recycling companies do exist but they generally charge by weight in addition to the transportation fee; these costs are generally borne by consumers and local governments and that is likely the reason why there are few convenient options for recycling.

Councillor Brice stated:

- She supports the proposed recommendation; on numerous occasions the Capital Regional District Environment Committee (EAC) has asked the Provincial Ministry to declare batteries as part of the stewardship program similar to the program for paint disposal and they will welcome the municipality's support in this regard.
- It would be ideal if the industry could take some responsibility from the time batteries are produced to the time they are disposed of such as a small surcharge at the time of purchase; the Hartland Landfill takes in about 50,000 dry cell batteries each year.

Councillor Brownoff stated:

- She is happy that the issue of recycling batteries has come forward to Council; under the current CRD recycling program it is not very convenient to recycle batteries.
- The general public needs to be better educated and made aware of the impacts to the environment with regard to the disposal/recycling of batteries; perhaps there could be some recycling tips on Saanich's website.

Councillor Derman stated:

- He agrees that public education is the key to dealing with the issue of disposal/recycling of batteries otherwise they will end up in garbage or recycling bins and get shipped to Hartland Landfill.
- It would be ideal if vendors had signs situated where they sell

batteries indicating the hazards and the need to recycle batteries; people could then learn about the impacts to the environment when they are purchasing batteries.

- There are also opportunities for pick up depots; every fourth Saturday at Reynolds School there is a special recycling pick up where people can drop off materials that would not otherwise be picked up by the blue box program such as styrofoam, etc.; perhaps there could be an opportunity for similar programs throughout the municipality for people to drop off batteries for recycling.

Councillor Wergeland stated:

- He agrees that public awareness is important; people drop off their bottles and cans not only because they want to recycle them but also because they get a refund; perhaps we should consider that incentive for recycling batteries as well.

The Motion was then PUT and CARRIED

Adjournment

On a motion from Councillor Brice, the meeting adjourned at 7:46 p.m.

.....
MAYOR

I hereby certify these Minutes are accurate.

.....
MUNICIPAL CLERK

3. Consideration of the Development Permit be withheld pending receipt of the revised plan.”

In response to a question from Council, the Manager of Community Planning stated:

- Staff is recommending that the proposed Quonset storage hut either be moved away from the sewer right-of-way and manhole to a different location on the site or that it be removed altogether from their proposal.

The Motion was then PUT and CARRIED

Kent Road
Rezoning

652 KENT ROAD (A PORTION) – REZONING APPLICATION – DARRELL TENG.

Report of the Director of Planning dated April 22, 2008 recommending approval of the rezoning from RS-6 to RS-2.

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

- With regard to potential encroachment into the riparian area of Swan Creek which is adjacent to the subject property, a split rail fence could be constructed to demarcate private property from public property.

Mr. D. Teng, owner and applicant, 652 Kent Road, stated:

- He and his wife met with the Mount View Colquitz Community Association and they canvassed the neighbourhood to discuss the proposed subdivision; to date they have not received any feedback with regard to their proposal.
- They are proposing to deconstruct the existing 1957 dwelling and the materials have been offered to Habitat for Humanity for their use.
- All of the framing materials including posts and beams and floor joists are old growth Douglas fir and will be shipped to a re-manufacturing plan to be turned into flooring; all of the concrete will be recycled.
- He has calculated that they will be removing 575 square metres of impervious surface; when they have completed the construction of the proposed two new dwellings, he estimates there will only be 345 square metres of impervious surface.
- He does not like the idea of using underground stormwater retention chambers as he does not think they perform that well and ultimately it is up to the homeowner to maintain them which does not always happen; it is his intention to work with Environmental and Engineering staff to see if there are other options for onsite stormwater management.
- With regard to the restoration of the Streamside and Protection and Enhancement Area (SPEA), there will be a 400 square metre strip that will be landscaped with at least 279 trees and plants; he likes the idea of a split rail fence and he will construct one.
- He received a coupon from the Engineering Department for a one hour consultation with City Green Solutions and he plans to meet with them.

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

- There has been no mention of re-grading the stream bank but he will consider it and see if it is an option.
- At the Public Hearing he will provide concept plans for the proposed two new dwellings; the intent is grade level basement homes with the main living area upstairs and an unfinished basement with a possibility of secondary suites.

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

- He is happy to hear that the applicant is planning to rehabilitate the SPEA.
- According to the Servicing Requirements the road fronting the proposed subdivision calls for a curb and gutter while the remainder of the street just treats the water as it runs off the road; he would like to see a greener approach rather than the standard curb and gutter.

Ms. L. Styan, Secretary, Mount View Colquitz Community Association, stated:

- The applicants met with a few members of the Association to discuss their proposal.
- There is a concern with regard to the placement of the proposed fire hydrant and that it could impact existing mature trees; the Association hopes that it will be taken into consideration.
- The subject area is a mix of various zoned properties; in her opinion as a nearby resident, she would like to see a cohesive plan for the entire area so that it does not get redeveloped one piece at a time.
- There are many beautiful large lots in the area that could easily accommodate a subdivision; however she does not feel the proposed development is appropriate considering its close proximity to the Swan Creek.

MOTION:

MOVED by Councillor Gillespie and Seconded by Councillor Brice: "That a Public Hearing be called."

In response to a question from Council, the Manager of Community Planning stated:

- Council has previously approved a number of small lot subdivisions on both Ralph Street and Kent Street; however, they have not been approved for Canterbury Road.

Councillor Brownoff stated:

- She supports the application proceeding to a Public Hearing; she would like the Approving Officer to take into consideration that the applicant is willing to construct a split rail fence in order to protect the rehabilitation of the SPEA and that suitable covenants are in place.
- The applicant is planning to undertake a lot of positive measures with respect to the proposed development to ensure that the environment is protected.

Councillor Sanders stated:

- She supports the application proceeding to a Public Hearing.
- At the Public Hearing she would like to see the concept plans for the proposed two new dwellings and to have some assurance that

covenants are in place; it is important for the residents to see what will be built and how it will fit in with their neighbourhood.

- She would also like the Engineer to review the issue of the location of the proposed fire hydrant to see if it will impact any of the existing trees.

Councillor Derman stated:

- The applicant is planning to deconstruct the existing dwelling and recycle as much of the material as possible; the proposed rehabilitation to the riparian area is substantial and is greatly needed.
- Some of the recent changes to the subject area have not been as sympathetic as they could have been; at the Public Hearing he would like the applicant to provide details on the size and general nature of the houses he expects to construct on the two lots.
- It is important for the neighbours to have a sense of how the proposed new dwellings will fit into the character of the neighbourhood.
- It is a good proposal and it will enhance the neighbourhood; he supports it going forward to a Public Hearing.

The Motion was then PUT and CARRIED

PLD60
Streamside
Development Permit
Area Atlas

STREAMSIDE DEVELOPMENT PERMIT AREA ATLAS – HOUSEKEEPING AMENDMENTS.

Report of the Director of Planning dated April 21, 2008 recommending Schedule 2 to Appendix N of the Official Community Plan – Streamside Development Permit Area Atlas be amended as outlined.

The Manager of Environmental Planning stated:

- The proposed amendments to the Streamside Development Permit Area Atlas are to ensure that the Atlas is in keeping with the Provincial Riparian Areas Regulation.
- There were two creeks that were initially overlooked when staff did their broad scale mapping and there were seven creeks that were incorrectly mapped; in consultation with staff an independent Qualified Environmental Professional completed an assessment of all known streams within the District's boundary to determine their Streamside Protection and Enhancement Areas (SPEA).
- When the mapping was initially undertaken by Saanich they wanted to provide property owners with some idea of what the riparian setbacks would be on their properties but they also recognized that there could be some inaccuracies in the mapping because there are so many tributaries and creeks in Saanich.
- Staff is recommending that two creek tributaries be added and seven be removed in order to comply with the legislation.

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

- He supports adding the two creeks to the Atlas but objects to removing the others with the exception of O'Donnell Creek because it was man made as an irrigation pond.
- In order to preserve our watersheds we must recognize that just because we may not consider them to be a creek they still function by conveying water.

