

MINUTES OF THE COUNCIL MEETING
HELD IN THE COUNCIL CHAMBERS
SAANICH MUNICIPAL HALL, 770 VERNON AVENUE
MONDAY, JANUARY 26, 2009 AT 7:30 P.M.

Present: **Chair:** Mayor Leonard
Council: Councillors Brice, Derman, Gerrard, Hunter, Murdock, Sanders, and Wergeland
Staff: Chris Nation, Municipal Solicitor; Russ Fuoco, Director Planning; Colin Doyle, Director of Engineering; Donna Dupas, Deputy Manager of Legislative Services; and Shirley Leggett, Senior Committee Clerk

Minutes **ADOPTION OF MINUTES**

MOVED by Councillor Brice and Seconded by Councillor Derman:
“That the Minutes of the Council and the Committee of the Whole Meetings held January 5, 2009, be adopted.”

CARRIED

BYLAWS

Falaise Dr.
Bylaw 8972

4634 FALAISE DRIVE

Final Reading of the “Zoning Bylaw, 2003, Amendment Bylaw, 2009, No. 8972”. Rezoning from A-1 to RS-10.

MOVED by Councillor Derman and Seconded by Councillor Brice:
“That Bylaw No. 8972 be adopted by Council and the Seal of the Corporation be attached thereto.”

CARRIED

ADM40
Bylaw 8973

ANIMALS BYLAW – HOUSEKEEPING AMENDMENT

Three Readings of the “Animals Bylaw, 2004, Amendment Bylaw, 2009, No. 8973”. To amend the definitions of “Aggressive Dog”, “Dangerous Dog” and “Domestic Animal” and amend Section 10.

MOVED by Councillor Wergeland and Seconded by Councillor Hunter:
“That Bylaw No. 8973 be introduced and read.”

CARRIED

MOVED by Councillor Wergeland and Seconded by Councillor Hunter:
“That Bylaw No. 8973 be read a second time.”

CARRIED

MOVED by Councillor Wergeland and Seconded by Councillor Hunter:
“That Bylaw No. 8973 be now passed.”

CARRIED

Ralph Street
Bylaw 8974

668 RALPH STREET

First Reading of the “Zoning Bylaw, 2003, Amendment Bylaw, 2009, No. 8974”. Rezoning from P-1 to RS-4.

MOVED by Councillor Sanders and Seconded by Councillor Gerrard:
“That Bylaw No. 8974 be introduced and read.”

CARRIED

RECOMMENDATIONS FROM COMMITTEES

From the Environmental Advisory Committee Meeting held November 25, 2008

ADM115/ADM85
Battery Recycling

BATTERY RECYCLING – FCM RESOLUTION

Memorandum from the Environmental Advisory Committee dated January 13, 2009 recommending that a resolution be sent to the Federation of Canadian Municipalities urging the government to implement a means for the public to recycle batteries.

MOVED by Councillor Sanders and Seconded by Councillor Murdock:
“That Council send a resolution to the Federation of Canadian Municipalities urging the government to implement an accessible and convenient means for the public to recycle batteries, using wording based on a similar resolution sent to the Union of British Columbia Municipalities in September 2008.”

CARRIED

From the Finance and Personnel Committee Meeting held January 20, 2009

FIN45
Core Capital
Projects

EARLY APPROVALS – 2009 CORE CAPITAL PROJECTS

Report from the Director of Finance dated January 12, 2009 with a recommendation from the Finance and Personnel Standing Committee meeting held January 20, 2009 to approve the Early Approvals for 2009 Core Capital project budgets as outlined in the report of the Director of Finance.

MOVED by Councillor Gerrard and Seconded by Councillor Brice:
“That Council give early expenditure approval for the following 2009 core capital projects:

Water Capital Budget - \$490,000 (12% of Core Capital Budget)

- | | |
|--|-----------|
| 1. Alder Street | \$140,000 |
| 2. Tattersall Drive | \$100,000 |
| 3. Residential Water Meters | \$ 60,000 |
| 4. Detailed Design – 2010 Water Capital Projects | \$ 65,000 |
| 5. Rithet Reservoir Replacement/Rehabilitation Study | \$ 75,000 |
| 6. Miscellaneous Water Main Replacements | \$ 50,000 |

Sewer Capital Budget - \$350,000 (10% of Core Capital Budget)

- | | |
|---|-----------|
| 1. Colquitz/Gorge View Upgrade Design | \$250,000 |
| 2. Miscellaneous Sewer Projects and Contingencies | \$100,000 |

Drainage Capital Budget - \$150,000 (6% of Core Capital Budget)

- | | |
|------------------------------------|-----------|
| 1. Miscellaneous Drainage Projects | \$ 50,000 |
| 2. Wood Stave Drainage Design | \$100,000 |

Fleet Replacement Capital Budget - \$300,000 (funded from Equipment Replacement Reserve)

1. Six (6) Dodge Sprinter Vans \$300,000

Recreation Fitness Equipment Replacement Capital Budget - \$116,000 (funded from Equipment Replacement Reserve)

1. Nineteen (19) Treadmills at four Recreation Centres \$116,000

Parks Capital Budget – \$200,000 (21% of Core Capital Budget)

1. Colquitz Trail \$200,000

TOTAL \$1,606,000

CARRIED

RESOLUTIONS FOR ADOPTION

PQS100
Tender 47/08

TENDER 47/08 – SPRINTER CARGO VANS

Report of the Director of Finance dated January 6, 2009 recommending Tender 47/08 for six sprinter cargo vans be awarded to Wille Dodge Chrysler in the amount of \$340,504.78.

MOVED by Councillor Derman and Seconded by Councillor Hunter: “That Tender 47/08 for six sprinter cargo vans be awarded to Wille Dodge Chrysler in the amount of \$340,504.78.”

CARRIED

ADM115 – UBCM
Membership Dues

UNION OF BC MUNICIPALITIES 2009 MEMBERSHIP DUES

Invoice from the Union of BC Municipalities requesting payment of annual membership dues in the amount of \$17,053.50.

MOVED by Councillor Gerrard and Seconded by Councillor Wergeland: “That Council authorize the payment of 2009 membership dues in the amount of \$17,053.50 to the Federation of Canadian Municipalities.”

CARRIED

Adjournment

On a motion from Councillor Hunter, the meeting adjourned at 7:35 p.m.

The meeting reconvened at 8:53 p.m.

Recommendations

RECOMMENDATIONS

From the Committee of the Whole Meeting held January 26, 2009

Glanford Ave.
Development
Permit

4212 GLANFORD AVENUE – DEVELOPMENT PERMIT AMENDMENT – SMITH DESIGNS

MOVED by Councillor Derman and Seconded by Councillor Gerrard: “That Council approve and issue Amended Development Permit No. P/4/86 on Lot 1, Section 100, Lake District, Plan 34187 (4212 Glanford Avenue).”

CARRIED

PKA35
Lease Renewal

**SWAN LAKE CHRISTMAS HILL NATURE SANCTUARY LANDS -
RENEWAL OF LEASE WITH NATURE TRUST OF BC**

MOVED by Councillor Wergeland and Seconded by Councillor Derman: "That Council authorize the renewal of the Lease with The Nature Trust of BC for twenty (20) years commencing January 1, 2008 and ending December 31, 2027."

CARRIED

In Camera Motion

MOVED by Councillor Hunter and Seconded by Councillor Gerrard: "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 appointment."

CARRIED

Adjournment

On a motion from Councillor, the meeting adjourned at 8:54 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, JANUARY 26, 2009 AT 7:36 P.M.

Present: **Chair:** Councillor Brice
Council: Mayor Leonard and Councillors Derman, Gerrard, Hunter, Murdock, Sanders and Wergeland
Staff: Chris Nation, Municipal Solicitor; Russ Fuoco, Director of Planning; Colin Doyle, Director of Engineering; Donna Dupas, Deputy Manager of Legislative Services; and Shirley Leggett, Senior Committee Clerk

Glanford Avenue
 Development Permit
 Amendment

4212 GLANFORD AVENUE – DEVELOPMENT PERMIT AMENDMENT – SMITH DESIGNS

Reports of the Director of Planning dated December 22, 2008 recommending Development Permit Amendment DPA2008-00040 be approved, and the Advisory Design Panel dated November 27, 2008 recommending approval of the design.

Mr. J. Smith, Smith Designs, applicant, stated:

- It was suggested by Saanich staff that the existing gravel parking area be paved so paving was incorporated into their plans, however, they are willing to retain the gravel surface.
- The proposal is to add 130 square metres to the existing building and to readdress the exterior colors and finishes on the building so that it fits better into the landscape.
- The existing mature trees at the front of the property which block the building from the street will be pruned.
- Bicycle parking and unisex shower facilities will be provided for staff.

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

- There are provisions in the Zoning Bylaw for surfacing other than a paved surface, however, it would have to be reviewed by an Engineer to ensure that a gravel surface would not create problems for driveways or steep slopes.

MOTION: MOVED by Councillor Derman and Seconded by Councillor Wergeland: “That it be recommended that Council approve and issue Amended Development Permit No. P/4/86 on Lot 1, Section 100, Lake District, Plan 34187 (4212 Glanford Avenue).”

Councillor Garrard stated:

- He would like some comfort that an amendment will be made to the drawings which show that the existing gravel parking surface will be retained and that retaining walls will be constructed if required.

The Motion was then PUT and CARRIED

PKA35
Lease Renewal

**SWAN LAKE CHRISTMAS HILL NATURE SANCTUARY LANDS -
RENEWAL OF LEASE WITH NATURE TRUST OF BC**

Report of the Lands Commissioner dated November 17, 2008 recommending Council authorize the renewal of the lease for the properties identified with the Nature Trust of BC for 20 years.

In response to a question from Council, the Municipal Solicitor stated:

- In accordance with the Community Charter, the application has gone through the Alternate Approval Process and there was no opposition to a lease greater than five years.

Mr. H. Charania, 757 Genevieve Road, stated:

- He supports the recommendation to renew the lease for 20 years and congratulates everyone involved.
- The Swan Lake Christmas Hill Nature Sanctuary is very important to Saanich; the two parcels are strategically positioned for the continuity of the Nature Sanctuary.
- The preservation of its natural and environmental values is part of Saanich's strategic mission and conforms to our values aspired through the Official Community Plan.

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

- As a member of the Environmental Advisory Committee, a Director for the Quadra Cedar Hill Community Association, and a corporate sponsor of the Swan Lake Nature Sanctuary, he supports the recommendation to renew the lease for 20 years.

MOTION:

MOVED by Councillor Derman and Seconded by Councillor Murdock: "That it be recommended that Council authorize the renewal of the Lease with The Nature Trust of BC for twenty (20) years commencing January 1, 2008 and ending December 31, 2027."

Councillor Derman stated:

- He does not see any reason to not renew the lease for 20 years; it would be nice to have a 99 year lease.

The Municipal Solicitor stated:

- The lease includes options to renew by Saanich, up to a total of 99 years from the original granting of the lease which was in the early 1970's.

Councillor Sanders stated:

- The Swan Lake Christmas Hill Nature Sanctuary is a gem in Saanich; she supports the renewal of the lease for at least another 20 years.

The Motion was then PUT and CARRIED

Cordova Bay Road
Rezoning**4550 CORDOVA BAY ROAD – REZONING APPLICATION – GUSTAV RICHARD KLIMACH**

Report of the Director of Planning dated July 25, 2008 recommending the rezoning from C-10 to a new residential apartment zone not be supported.

Mr. D. Carlson, on behalf of the owner and applicant, stated:

- The Seaview Inn Motel has been in the Cordova Bay community for a number of years and during that time has undergone a number of alterations and additions.
- In 2006 a Development Permit was approved to bring two of the existing buildings up to code; the plan was to replace the existing building at the front of the property with the proposed new building for a total of 26 units.
- As part of the Development Permit there was also a negotiated right-of-way access for Parks maintenance vehicles to access Mt. Douglas Park, and for six on-site parking spaces for shared use between park visitors and motel guests.
- In 2007 the applicant initiated a rezoning application to convert the existing 26-unit motel into a 26-unit condominium as he felt that a motel in the subject location was no longer financially viable.
- The proposed units will be approximately 700 to 750 square feet in size and would be suitable for first time homeowners or people wanting to downsize; the applicant is also willing to enter into a housing agreement to ensure that the units are offered as rental units.
- They require a parking variance for one parking space but they will still provide six spaces for users of the park.

Mr. G. Klimach, owner and applicant, stated:

- He and his family have owned the subject property since 1982; in 1985 it was rezoned to C-10 Tourist Accommodation Zone.
- It was always their intention to operate the property as a motel but business has fallen to the point where it is no longer financially viable.
- They feel that their options are to sell the property to a developer, ask Council to permit a much higher density on the site with the addition of a restaurant and bar, or change the use of the property from commercial to residential.
- They met with the neighbours and the Cordova Bay Community Association and to date they have collected 80 letters in support of the proposal.
- They are committed to renting the units and will also sell a number of them in the range of \$170,000 to \$200,000.
- They feel that the proposal meets the needs of affordable housing for purchasers and renters in the Cordova Bay community.

Mr. R. Stonebanks, president, Cordova Bay Association, stated:

- The Association does not support the proposed rezoning; if the current zoning is changed to something other than RA-1 (Apartment Zone) it will in effect be spot zoning; multiple family housing is not contemplated in the Cordova Bay Local Area Plan.
- In 1985 the zoning for the subject property was changed from RS-18

to C-10 to permit what has evolved into a 26-unit motel; the Association feels that the zoning should revert back to an RS Zone like it was in the 1980's as it is the appropriate zoning for the whole area.

- He is not sure from the presentation if the proposal is for condominiums, rental units, or a combination of both.
- The Association asks that Council support the Planning Department's recommendation and not forward the application to a Public Hearing.

Ms. R. Buchholz, 5055 Cordova Bay Road, stated:

- She supports the proposal; the Cordova Bay area needs some affordable housing and it will be an asset to the neighbourhood.

Mr. R. Patterson, 994 Haliburton Road, stated:

- He feels that the proposal is reasonable; it will not result in a significant increase in density so he supports it.
- He hopes that Council will consider the business merits of the proposal and approve it.

Ms. M. Stephens, 20-4360 Emily Carr Drive, stated:

- She supports the proposal; it is an opportunity for affordable housing and will be good for the neighbourhood.

Mr. W. Van Westen, 4553 Cordova Bay Road, stated:

- His property is adjacent to the subject property.
- He feels that the proposal has a lot of merit; it is an area that needs some development closer to town where people can commute; he supports the proposal and hopes that Council will approve it.

Mr. J. Colbert, 5005 Bonanza Place, stated:

- There was a lot of consultation that went into the development of the Cordova Bay Local Area Plan; the Plan makes sense for the area and changing it could have negative impacts.
- He does not support spot zoning as it could set a precedent.

Mr. D. Gunn, president, Gordon Head Resident's Association, stated:

- The Association supports the recommendation in the Planner's report to not support the proposal.
- The proposal does not meet the policies in the Local Area Plan and the Association is concerned that it could set a precedent for other multi-family developments on the Cordova Bay ridge; they are also concerned that traffic could be impacted.
- The applicant mentioned in his presentation that he is considering rental units; this is the first time that the Association has heard of that option.

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

- As an Environmental Advisory Committee member he is concerned with the issue of greenhouse gas; the subject area is not close to amenities so many people use their vehicles; it is not a preferred area for increased density.

Mr. G. Shorthill, treasurer, Friends of Mount Douglas Park Association, stated:

- The Association supports the recommendation in the Planner's report to not support the application; it does not comply with the Local Area Plan.
- The Association is also opposed to the proposal as it could impact Mount Douglas Park; the proposed change from a motel to multi-family housing presents a major threat to the park.
- The C-10 Zoning that was in place 20 years ago has helped inhibit further motel development along this stretch of Cordova Bay Road; the proposal to rezone to some form of residential apartments will change the dynamics and could act as a catalyst for other property owners who own large acreage properties between the subject property and Blenkinsop Road.

Ms. G. McCrimmon, 5431 Fowler Road, stated:

- She supports the proposal; it will enhance the neighbourhood.

Councillor Wergeland stated:

- He does not think the proposal to convert an existing motel to condominiums will set a precedent or that it will impact traffic.
- There are some concerns that the proposed rezoning of the subject property could impact the adjacent park; we want to put density near parks; the proposal is also an opportunity for some affordable housing.

Mayor Leonard stated:

- He agrees with the Planner's report on the issue of precedent; the Local Areal Plan does not contemplate multi-family housing on this stretch of Cordova Bay Road east of Blenkinsop Road.
- There are other very large properties on the south side of Cordova Bay Road and the owners could also apply to develop their properties for multi-family housing.

MOTION:

MOVED by Councillor Sanders and Seconded by Councillor Murdock: "That the application to rezone Lot 2, Section 24, Lake District, Plan 6939 (4550 Cordova Bay Road) from C-10 to a new residential apartment zone not be approved."

Councillor Sanders stated:

- She agrees that the proposal could set a precedent for other large properties in the area; it does not fit the criteria of the Local Area Plan and there are no amenities close by so many people will use their vehicles.
- She does not support the rezoning application or spot zoning; when we make changes to land use it cannot be at the expense of the neighbourhood.

Councillor Gerrard stated:

- There are only a few C-10 Zones left in Saanich as they are not economically viable; he does not support reverting back to a single family zone as he does not feel it would be the best land use for the subject site.
- The proposed units would be affordable; 20 of the units already exist

in a form easily converted to apartment use, they are all wheelchair accessible and there are elevators; there is also an existing right-of-way access for the Parks maintenance vehicles and six shared parking spaces; he believes that the proposal would satisfy a need for appropriate affordable housing in the area.

- Demolishing the buildings is not viable or good business practise; he encourages more discussion between the applicant and the community and hopefully they can come up with some suitable ideas for the subject site; he will support the motion with some reluctance.

Councillor Hunter stated:

- He supports the recommendation in the Planner's report to not support the application.
- A Development Permit was approved in 2006 yet it has not been acted on so it is difficult to determine if the changes that were proposed then would be viable in the long term; he would prefer to see what develops with the approvals that are currently in place.

Councillor Murdock stated:

- He applauds the applicant for wanting to provide some affordable housing; however, he does feel that the subject location is suitable for density or for smart growth; he supports the Planner's recommendation to not support the rezoning application.
- That Cordova Bay Road corridor is already under stress and increased traffic could further impact it; rezoning to permit multi-family housing could set a precedent for other large properties in the area.

Councillor Derman stated:

- He agrees that it would not be economically responsible or environmentally friendly to demolish the existing motel.
- The proposal provides an opportunity for some affordable housing however it is not an ideal location for density and an A-1 Zone could establish a precedent; he does not support the application.
- Perhaps the applicant could work with staff and the community to consider the idea of a residential hotel; it would not set a precedent and it could make the best use of an existing facility and provide some affordable housing.

Councillor Wergeland stated:

- He does not think a precedent will be set; the proposal is just to convert an existing building from a motel to condominiums and it is an opportunity for the owner and the community.
- It may not be the ideal location for density but it would provide some affordable housing; he supports the rezoning application.

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

Adjournment On a motion from Councillor Hunter, the meeting adjourned at 8:52 p.m.

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CHAIR

I hereby certify these Minutes are accurate.

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MUNICIPAL CLERK