

MINUTES OF THE COUNCIL MEETING
HELD IN THE COUNCIL CHAMBERS
SAANICH MUNICIPAL HALL, 770 VERNON AVENUE
MONDAY, JANUARY 5, 2009 AT 7:30 P.M.

Present:

Chair: Mayor Leonard
Council: Councillors Brice, Brownoff, Derman, Gerrard, Hunter, Murdock, and Wergeland
Staff: Tim Wood, Administrator; Chris Nation, Municipal Solicitor; Russ Fuoco, Director Planning; Colin Doyle, Director of Engineering; Carrie MacPhee, Manager of Legislative Services; and Shirley Leggett, Senior Committee Clerk

BYLAWS

ADM40
Bylaw 8972

4634 FALAISE DRIVE

First 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 Brownoff:
"That Bylaw No. 8972 be introduced and read."**

CARRIED

PUBLIC HEARING

ADM40
Bylaw 8972

"ZONING BYLAW, 2003, AMENDMENT BYLAW, 2009, NO. 8972"

PROPOSED TWO LOT RESIDENTIAL SUBDIVISION ON FALAISE DRIVE

To rezone Lot 11, Section 109, Lake District, Plan 11753 (**4634 FALAISE DRIVE**) from Zone A-1 (Rural) to Zone RS-10 (Single Family Dwelling) for a proposed two lot residential subdivision.

The Notice of Public Hearing; the report of the Director of Planning dated November 3, 2008, recommending approval, were introduced.

Councillor Gerrard stated:

- The applicant has submitted two concept plans for the proposed new dwelling which illustrate different styles and elevations; he would like clarification on which design the applicant intends to construct.

APPLICANT:

Mr. V. Gill, owner and applicant, stated:

- When he originally submitted his application, he intended to construct a split level dwelling with higher elevations but because he will be providing a covenant to protect the Garry oak trees it changed the scale of the proposed new dwelling.
- He may consider constructing a ranch style house with a basement instead of a split-level dwelling as it would be more affordable to build.

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

- If the applicant wishes to retain the option of building either of the proposed designs then the designs could be referred to the Approving

Officer as samples of the scale and massing that is acceptable.

- However, if the applicant wishes to limit himself to the ranch style dwelling, then only that drawing should be referred to the Approving Officer for consideration.

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

- He was asked to provide additional information on the footprint and a concept plan for the proposed new dwelling so he decided to provide both concepts for illustration purposes; although building a ranch style house would likely be more affordable he does not want to limit himself to just that concept.
- He presented the original concept which had higher elevations and larger massing to the Community Association and the neighbours and there were no issues with the proposal; although he has not presented the ranch style concept to them he does not anticipate there will be any objections.

PUBLIC INPUT:

Nil.

APPLICANT'S RESPONSE:

Nil.

**MOVED by Councillor Brice and Seconded by Councillor Hunter:
"That the application to rezone from A-1 to RS-10 be approved."**

Councillor Brice stated:

- The proposed rezoning is supported by staff and when it was considered by the Community Association and the neighbours there were no negative reactions to the proposal.
- The proposed subdivision is close to amenities and is an opportunity for infill development.
- She feels that the proposal is worthy of support.

Councillor Gerrard stated:

- He prefers the ranch style option as the topography of the subject property slopes.
- The size of both of the proposed lots exceeds the minimum lot size recommended in the Royal Oak Local Area Plan; the applicant has agreed to a covenant to protect the Garry oak trees.
- The Community Association and the neighbours do not have any objections to the proposal; he supports the rezoning.

The Motion was then PUT and CARRIED

ADM40
Bylaw 8972

"ZONING BYLAW, 2003, AMENDMENT BYLAW, 2009, NO. 8972"
Second and Third Readings.

MOVED by Councillor Gerrard and Seconded by Councillor Wergeland: "That Bylaw No. 8972 be read a second time."

CARRIED

MOVED by Councillor Gerrard and Seconded by Councillor Wergeland: "That Bylaw No. 8972 be now passed."

CARRIED

Minutes

ADOPTION OF MINUTES

MOVED by Councillor Brownoff and Seconded by Councillor Brice: "That the Minutes of the Council and the Committee of the Whole Meetings held December 15, 2008, and the Minutes of the Special Council Meeting held December 9, 2008, be adopted."

CARRIED

RESOLUTIONS FOR ADOPTION

ADM120
2009/2010 Cycling
Infrastructure
Partnership

2009/2010 PROVINCIAL CYCLING INFRASTRUCTURE PARTNERSHIP PROGRAM APPLICATIONS

Report of the Director of Engineering dated December 16, 2008 recommending Council approve grant applications to the Cycling Infrastructure Partnership Program and authorize the Douglas Connector Bike Route and Burnside Road Upgrading (Marigold to Grange Roads) projects to proceed subject to grant receipt and funding from a combination of core capital, borrowing and reserves.

MOVED by Councillor Brownoff and Seconded by Councillor Wergeland: "That:

- 1. Council approve a grant application of \$245,000 to the Cycling Infrastructure Partnership Program, and authorize the "Douglas Connector Bike Route" project to proceed subject to grant receipt, with funding for this project from a combination of core capital, borrowing and reserves; and**
- 2. Council approve a grant application of \$145,000 to the Cycling Infrastructure Partnership Program, and authorize the "Burnside Road Upgrading (Marigold Road to Grange Road)" project to proceed subject to grant receipt, with funding for this project from a combination of core capital, borrowing and reserves."**

Councillor Brownoff stated:

- The Douglas Connector Bike Route is a route that the Bicycle and Pedestrian Mobility Advisory Committee has been involved with; it will create another connection for residents.

Councillor Derman stated:

- The Provincial Cycling Infrastructure Partnership is an excellent initiative and will add to the cycling infrastructure for the municipality.
- He would like consideration to be given to the width of new bicycle lanes and hopes that wider lanes can be accommodated wherever possible.

The Motion was then PUT and CARRIED

ADM120
LocalMotion
Program

LOCALMOTION PROGRAM GRANT APPLICATIONS

Joint report of the Directors of Engineering and Parks and Recreation dated December 22, 2008 recommending Council approve grant applications to the LocalMotion Program for the projects identified, and authorize the projects to proceed subject to grant receipt and funding from a combination of core capital, borrowing and reserves.

**MOVED by Councillor Gerrard and Seconded by Councillor Murdock:
“That Council:**

- 1. Approve the grant application of \$470,000 to the LocalMotion program of the Province of BC, and authorize the Bowker Creek Greenway project to proceed subject to grant funding receipt, with funds for this project from a combination of core capital, borrowing and reserves;**
- 2. Approve a grant application of \$230,000 to the LocalMotion Program of the Province of BC, and authorize the SCP to Beaver Lake Connector Trail project, to proceed subject to grant receipt with funds for this project from a combination of core capital, borrowing and reserves;**
- 3. Approve a grant application of \$180,000 to the LocalMotion Program of the Province of BC, and authorize the Mount Douglas Cross Road Sidewalk project to proceed subject to grant receipt with funds for this project from a combination of core capital, borrowing and reserves; and**
- 4. Approve a grant application of \$460,000 to the LocalMotion Program of the Province of BC, and authorize the Off McKenzie Bike Route project to proceed subject to grant receipt with funds for this project from a combination of core capital, borrowing and reserves.”**

Councillor Brownoff stated:

- She has some concerns with the proposed priority of the projects in the grant application submission; the Off McKenzie Bike Route should be a higher priority as it is a commuter route.

Councillor Murdock stated:

- He congratulates staff for putting forward the initiative; he would also like to see the Off McKenzie Bike Route given more priority.
- UVic has undertaken transportation demand management and it is a considerable benefit to our municipality; the University is taking steps to encourage people to cycle, walk or take transit; the Municipality should make every effort to facilitate a shift away from vehicle use.

The Motion was then PUT and CARRIED

ADM115 – FCM
Membership Dues

FEDERATION OF CANADIAN MUNICIPALITIES MEMBERSHIP DUES
Invoice from the Federation of Canadian Municipalities requesting payment of membership dues in the amount of \$13,308.33 and travel funds in the amount of \$1,894.64.

MOVED by Councillor Brice and Seconded by Councillor Brownoff:
“That Council authorize the payment of 2009 membership dues in the amount of \$13,308.33 and travel funds in the amount of \$1,894.64 to the Federation of Canadian Municipalities.”

CARRIED

PQS100
Tender 41/08

TENDER 41/08 – CORDOVA BAY SCHOOL ADDITION
Report of the Director of Finance dated December 30, 2008 recommending Tender 41/08 for the Cordova Bay School addition be awarded to Pye Construction in the amount of \$1,182,346.

MOVED by Councillor Hunter and Seconded by Councillor Gerrard:
“That Tender 41/08 for the Cordova Bay School Addition be awarded to Pye Construction in the amount of \$1,182,346.”

CARRIED

ADM90
Council/Committee
of the Whole
Meetings

CANCELLATION OF JANUARY 12, 2009 COUNCIL/COMMITTEE OF THE WHOLE MEETINGS

Memorandum of the Manager of Legislative Services dated January 5, 2009 requesting Council cancel the January 12, 2009 Council and Committee of the Whole Meetings.

MOVED by Councillor Derman and Seconded by Councillor Brice:
“That the January 12, 2009 Council and Committee of the Whole Meetings be cancelled.”

CARRIED

RESOLUTIONS FOR ADOPTION

Memorandum and Report from the Peninsula Agricultural Commission

ADM85- PAC
Expansion of
Membership to
Include Metchosin

PROPOSED EXPANSION OF PENINSULA AGRICULTURAL COMMISSION MEMBERSHIP TO INCLUDE DISTRICT OF METCHOSIN

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

1. Saanich, Central Saanich, North Saanich and Sidney Councils accept the District of Metchosin as a member municipality of the Peninsula Agricultural Commission;
2. Saanich, Central Saanich, North Saanich, Sidney and Metchosin Councils endorse proposed Option 2 as a new cost-sharing formula as outlined in the December 17, 2008 report to Councils from the Peninsula Agricultural Commission; and
3. The District of Metchosin appoint a Council representative to sit on the Commission, as well as a local Metchosin farmer.”

CARRIED

Adjournment On a motion from Councillor Hunter, the meeting adjourned at 7:55 p.m.

 The Meeting reconvened at 8:26 p.m.

Recommendations **RECOMMENDATIONS**

From the Committee of the Whole Meeting held January 5, 2009

FIN105
Interest Free Loan

**PROSPECT LAKE AND DISTRICT COMMUNITY ASSOCIATION –
REQUEST FOR INTEREST FREE LOAN FOR PROSPECT LAKE
COMMUNITY HALL RENOVATIONS**

**MOVED by Councillor Brice and Seconded by Councillor Wergeland:
“That Council approve a five year interest free loan in the amount of
\$85,000 to the Prospect Lake and District Community Association.”**

CARRIED

Leney Place
Remedial Action
Order

**4411 LENEY PLACE – REMEDIAL ACTION ORDER – ILLEGAL SHED
CONSTRUCTION**

**MOVED by Councillor Wergeland and Seconded by Councillor Brice:
“That Council pass the following resolution imposing remedial action
requirements:**

1. **Council hereby declares that the 8’ X 16’ (eight foot by sixteen foot) shed constructed in the rear yard of the parcel described as Lot 7, Section 9, Lake District, Plan 9604, having a street address of 4411 Leney Place, in the Municipality of Saanich (herein called “the lands”) contravenes the Building and Plumbing Bylaw No. 8627, and the Zoning Bylaw No. 8200 of the Corporation of the District as follows:**
 - a) **The shed was constructed without a building permit as required by the Building and Plumbing Bylaw No. 8627; and**
 - b) **The shed was constructed within 1.5 metres (4.9 feet) of an interior side lot line, contrary to the Zoning Bylaw No. 8200.**
2. **The Council hereby directs Milorad Vuckovic (herein called “the owner of the lands”) to remove the shed located in the rear yard of the lands within sixty (60) days from the date on which notice of this order is served upon the owner of the lands.**
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 2 at the expense of the owner pursuant to Section 17 of the *Community Charter*.”**

CARRIED

Royal Oak Drive
Remedial Action
Order

971 ROYAL OAK DRIVE – REMEDIAL ACTION ORDER – UNSIGHTLY PREMISES

MOVED by Councillor Brownoff and Seconded by Councillor Hunter:
“That Council pass the following resolution imposing remedial action requirements:

1. Council hereby declares the accumulation of vehicle parts, salvaged and disused items, and building materials being stored outside on the parcel of land described as Lot 2, Section 8, Lake District, Plan 28753, having street address of 971 Royal Oak Drive, in the Municipality of Saanich (herein called “the lands”) to be a nuisance pursuant to Sections 72 and 74(1)(d) of the *Community Charter* 2003 SBC.c.26;
2. The Council hereby directs Dan Nguy and Hui Dong (herein called “the owner of the lands”) to undertake the following actions within sixty (60) days from the date on which notice of this order is served upon the owner of the lands:
 - a) Remove from the lands any refuse, junk, recyclables, salvaged, disused, and unsightly items that are outside, including items stored under the eaves, and along the outsides of the building. Sort remaining items and materials into neat piles or stacks, out of view from the street or neighbours.
 - b) Remove or enclose all vehicle parts inside a permitted building.
 - c) Dismantle the shed-like structure located in the rear yard that has been built without the required building permit and neatly organize the building materials. Remove from the lands the salvaged, disused, and unsightly accumulation of items being stored on the shelves of this open shed-like structure.
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 2 at the expense of the owner pursuant to Section 17 of the *Community Charter*.”

CARRIED

Feltham Road
Remedial Action
Order

1837 FELTHAM ROAD – REMEDIAL ACTION ORDER – ILLEGAL REAR ENTRY ENCLOSURE

MOVED by Councillor Gerrard and Seconded by Councillor Brice: “That Council pass the following resolution imposing remedial action requirements:

- 1. Council hereby declares the rear entry located under the deck has been illegally enclosed on the south/easterly side of the dwelling on Lot 1, Section 58, Victoria District, Plan VIP69397, having a street address of 1837 Feltham Road, in the Municipality of Saanich (herein called “the lands”) which contravenes the Zoning Bylaw No. 8627, of the Corporation of the District.**
- 2. Council hereby directs Kulwinder S. Dulku, Amarjeet K. Dulku, and Rattan K. Dulku (herein called “the owners of the lands”) to remove the illegal entry enclosure on the south/easterly side of the dwelling within sixty (60) days from the date on which notice of this order is served upon the owner of the lands.**
- 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 2 at the expense of the owner pursuant to Section 17 of the *Community Charter*.”**

CARRIED

In Camera Motion

MOVED by Councillor Derman and Seconded by Councillor Brownoff: “That the following meeting be closed to the public as the subject matter being discussed relates to the proposed acquisition of land and/or improvements, and to personal information about identifiable individuals being considered for appointment.”

CARRIED

Adjournment

On a motion from Councillor Hunter, the meeting adjourned at 8:27 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 5, 2008 AT 7:56 P.M.

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

FIN105
Interest Free Loan

PROSPECT LAKE AND DISTRICT COMMUNITY ASSOCIATION – REQUEST FOR INTEREST FREE LOAN FOR PROSPECT LAKE COMMUNITY HALL RENOVATIONS

Report of the Director of Finance dated December 10, 2008 further to a letter from the Prospect Lake and District Community Association dated December 9, 2008, recommending Council consider the five year interest free loan request in the amount of \$85,000.

Mr. P. Scrimger, president, Prospect Lake and District Community Association, stated:

- The Prospect Lake Community Hall has been a valued community resource for 50 years.
- When the Association decided to do some much needed upgrades and renovations they did not anticipate the unexpected higher costs associated with the repairs; the initial estimate to complete the work was \$180,000.
- The Association started with \$18,000 and in March 2008 received a three-year matching grant of \$180,000 from the BC Gaming Commission; the Association raised and matched \$40,000 last year.
- In order to meet current building standards for a public assembly structure additional upgrades are required and they are facing a shortfall of approximately \$85,000 to \$95,000.
- A five year interest free loan in the amount of \$85,000 from Saanich will enable the Association to complete the most pressing repairs during the early part of 2009 so that the Community Hall can be back up and running and available to the public; ongoing repairs and renovations can then continue over the next 12 months to include year three of the matching grant.

Mr. F. Haynes, vice president, Prospect Lake and District Community Association, stated:

- Through its membership and community support, the Association has managed to raise \$75,000 in the past 15 months.
- Their current membership is about 190 families and growing, with younger families getting involved and taking an active role.

MOTION: MOVED by Councillor Wergeland and Seconded by Councillor Brice: “That it be recommended that Council approve a five year interest free loan in the amount of \$85,000 to the Prospect Lake and District Community Association.”

Councillor Gerrard stated:

- The Prospect Lake and District Community Association is a very active and vibrant Community Association who also owns their own community hall.
- He congratulates them on their good business plan; he supports their application.

Councillor Hunter stated:

- He congratulates the Community Association and the Prospect Lake Community; they are a vibrant community; Saanich takes pride in its partnerships.

Councillor Wergeland stated:

- The Community Association along with its members and the community have made remarkable efforts and he congratulates them.

The Motion was then PUT and CARRIED

Leney Place
Remedial Action
Order

4411 LENEY PLACE – REMEDIAL ACTION ORDER – ILLEGAL SHED CONSTRUCTION

Report of the Manager of Inspection Services dated December 10, 2008 recommending Council pass a resolution imposing remedial action requirements pursuant to Sections 72 and 73 of the *Community Charter*.

Mr. J. Nuefeld, 4384 Viewmont Avenue, stated:

- There are actually two sheds that have been constructed on the subject property; one is approximately 160 square feet in size and the other is about 350 square feet in size.
- His property has been impacted by runoff water from the subject property for several years as a result of the construction of the two buildings.
- When he received notice from the Municipality regarding an encroachment on the side yard of his own property, he took steps to have it removed; the owner of the subject property has continued to ignore notices from Saanich and refuses to cooperate.

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

- He would like to know why it takes the Municipality so long to act on these bylaw enforcement situations.

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

- Staff makes every effort to obtain compliance from property owners so that remedial action orders do not need to come before Council.

In response to a question from Council, the Bylaw Enforcement Officer stated:

- There are two sheds on the subject property but only the 8 foot by 16 foot shed is in violation.

MOTION: **MOVED by Councillor Gerrard and Seconded by Councillor Brice:**
“That it be recommended that Council pass the following resolution imposing remedial action requirements:

1. Council hereby declares that the 8’ X 16’ (eight foot by sixteen foot) shed constructed in the rear yard of the parcel described as Lot 7, Section 9, Lake District, Plan 9604, having a street address of 4411 Leney Place, in the Municipality of Saanich (herein called “the lands”) contravenes the Building and Plumbing Bylaw No. 8627, and the Zoning Bylaw No. 8200 of the Corporation of the District as follows:
 - a) The shed was constructed without a building permit as required by the Building and Plumbing Bylaw No. 8627; and
 - b) The shed was constructed within 1.5 metres (4.9 feet) of an interior side lot line, contrary to the Zoning Bylaw No. 8200.
2. The Council hereby directs Milorad Vuckovic (herein called “the owner of the lands”) to remove the shed located in the rear yard of the lands within sixty (60) days from the date on which notice of this order is served upon the owner of the lands.
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 2 at the expense of the owner pursuant to Section 17 of the *Community Charter*.”

Councillor Gerrard stated:

- Staff takes the time to work with owners and gives them lots of opportunities to comply so that these issues do not have to come before Council.
- The owner constructed the subject shed without a building permit and has refused to work with staff to resolve the problem.

The Motion was then PUT and CARRIED

Royal Oak Drive
 Remedial Action
 Order

971 ROYAL OAK DRIVE – REMEDIAL ACTION ORDER – UNSIGHTLY PREMISES

Report of the Manager of Inspection Services dated December 12, 2008 recommending Council pass a resolution imposing remedial action requirements pursuant to Sections 72 and 74 of the *Community Charter*.

Mr. J. Griffith, president, Broadmead Area Residents’ Association, stated:

- The Association has received numerous complaints from area residents and has been trying to get the owners of the subject property to clean it up since 2002.
- Between Saanich staff and the Community Association, there have been 27 attempts to reach compliance; staff have been very helpful and the area residents have been very patient and tolerant but it is time for the property to be cleaned up.

MOTION: **MOVED** by Councillor Wergeland and Seconded by Councillor Brownoff: "That it be recommended that Council pass the following resolution imposing remedial action requirements:

1. Council hereby declares the accumulation of vehicle parts, salvaged and disused items, and building materials being stored outside on the parcel of land described as Lot 2, Section 8, Lake District, Plan 28753, having street address of 971 Royal Oak Drive, in the Municipality of Saanich (herein called "the lands") to be a nuisance pursuant to Sections 72 and 74(1)(d) of the *Community Charter* 2003 SBC.c.26;
2. The Council hereby directs Dan Nguy and Hui Dong (herein called "the owner of the lands") to undertake the following actions within sixty (60) days from the date on which notice of this order is served upon the owner of the lands:
 - a) Remove from the lands any refuse, junk, recyclables, salvaged, disused, and unsightly items that are outside, including items stored under the eaves, and along the outsides of the building. Sort remaining items and materials into neat piles or stacks, out of view from the street or neighbours.
 - b) Remove or enclose all vehicle parts inside a permitted building.
 - c) Dismantle the shed-like structure located in the rear yard that has been built without the required building permit and neatly organize the building materials. Remove from the lands the salvaged, disused, and unsightly accumulation of items being stored on the shelves of this open shed-like structure.
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 2 at the expense of the owner pursuant to Section 17 of the *Community Charter*."

CARRIED

Feltham Road
Remedial Action
Order

1837 FELTHAM ROAD – REMEDIAL ACTION ORDER – ILLEGAL REAR ENTRY ENCLOSURE

Report of the Manager of Inspection Services dated December 17, 2008 recommending Council pass a resolution imposing remedial action requirements pursuant to Sections 72 and 73 of the *Community Charter*.

Mr. A. Dulku, son of owner R. Dulku, stated:

- The subject enclosure was constructed for health reasons in order to have a place to store their footwear, other than the kitchen, when they use the rear entrance which is adjacent to the vehicle parking.
- They were told by Saanich that a 10 by 10 foot room outside of the main building could be constructed without a permit so long as it was

located five feet away from a side yard lot line.

- On this basis, they felt that enclosing the rear entry was also acceptable so they proceeded; no alterations were made to the main dwelling.
- They are asking for permission for the enclosure to remain in place as they do not want to jeopardize their health and wellbeing.

A resident of 4118 Shelbourne Street, stated:

- She is a medical student; footwear can carry a lot of germs.

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

- He encourages Council to enforce Saanich's bylaws; we need to send a message to property owners that Council supports its bylaws.

Mr. J. Mahajan, 893 Pepin Crescent, stated:

- He is a friend of the subject property owners; the owners did not increase the size of their house or create a suite; they enclosed the rear entrance for health reasons.

Councillor Gerrard stated:

- The owners enclosed the rear entrance without the benefit of a Building Permit and a Stop Work Order was issued.
- The owners ignored deadlines for submitting a Building Permit and continued to complete the work on the enclosure.

MOTION:

MOVED by Councillor Gerrard and Seconded by Councillor Wergeland: "That it be recommended that Council pass the following resolution imposing remedial action requirements:

- 1. Council hereby declares the rear entry located under the deck has been illegally enclosed on the south/easterly side of the dwelling on Lot 1, Section 58, Victoria District, Plan VIP69397, having a street address of 1837 Feltham Road, in the Municipality of Saanich (herein called "the lands") which contravenes the Zoning Bylaw No. 8627, of the Corporation of the District.**
- 2. Council hereby directs Kulwinder S. Dulku, Amarjeet K. Dulku, and Rattan K. Dulku (herein called "the owners of the lands") to remove the illegal entry enclosure on the south/easterly side of the dwelling within sixty (60) days from the date on which notice of this order is served upon the owner of the lands.**
- 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 2 at the expense of the owner pursuant to Section 17 of the *Community Charter*."**

CARRIED

Adjournment On a motion from Councillor Hunter, the meeting adjourned at 8:25 p.m.

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CHAIR

I hereby certify these Minutes are accurate.

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MUNICIPAL CLERK