

SPECIAL COUNCIL MEETING  
FOR THE PURPOSES OF A **PUBLIC HEARING**  
HELD IN THE COUNCIL CHAMBERS  
SAANICH MUNICIPAL HALL, 770 VERNON AVENUE  
**TUESDAY, JANUARY 24, 2006 AT 7:30 P.M.**

Present: **Chair:** Mayor Leonard  
**Council:** Councillors Brice, Brownoff, Derman, Hunter (7:51 p.m.), Ngai (8:22 p.m.), Sanders, and Wergeland  
**Staff:** Neil Findlow, Senior Planner; Von Bishop, Manager of Development and Municipal Facilities; Margaret Trotter, Deputy Municipal Clerk; and Margaret Roper, Senior Committee Clerk.

No. 16  
Bylaw No. 8727  
PLD55

"OFFICIAL COMMUNITY PLAN BYLAW, 1993, AMENDMENT BYLAW, 2006, NO. 8727"

**PROPOSED DESIGNATION OF PROPERTY ON LAVAL AVENUE FOR ATTACHED HOUSING**

The intent of this proposed bylaw is to amend the Gordon Head Local Area Plan to designate Lot 1, Section 59, Victoria District, Plan VIP78322 (**1880 LAVAL AVENUE**) for potential attached housing.

Bylaw No. 8728  
Laval Avenue

AZONING BYLAW, 2003, AMENDMENT BYLAW, 2006, NO. 8728"

**PROPOSED 28 UNIT TOWNHOUSE COMPLEX ON LAVAL AVENUE**

To rezone Lot 1, Section 59, Victoria District, Plan VIP78322 (**1880 LAVAL AVENUE**) from zone P-1 (assembly) to zone RT-3 (attached housing) for a proposed 28 unit townhouse complex. A **DEVELOPMENT PERMIT** applicable to the above lands will also be considered to require the buildings and lands to be constructed and developed in accordance with the plans submitted.

The Notice of Public Hearing; report of the Director of Planning dated November 3, 2005, recommending that the Gordon Head Local Area Plan be amended, the rezoning and Development Permit be approved, and a revised statutory right of way for public access through the site be registered prior to final reading; a memorandum from the Director of Engineering dated November 29, 2005 addressing concerns raised at the Committee of the Whole meeting regarding servicing requirements; reports of the Advisory Design Panel dated March 17 and April 8, 2005 the latter recommending design approval; one letter from the applicant; twelve letters in support; and seventeen letters in opposition were introduced.

Responding to questions from Council, the Senior Planner stated:

- The landscaping plan indicates that the cypress hedge on the north boundary of the parcel adjacent to 1806 Chimo Place will be retained.

Responding to questions from Council, the Manager of Development and Municipal Facilities:

- The applicant has submitted a preliminary plan showing a catch basin to an infiltration system.

**APPLICANT**

Mr. W. Peereboom, Victoria Design, stated:

- The proposal is for a family-oriented 28 unit townhouse development which will blend with the single family homes to the west and east of the site.
- Sixteen units have been designed with double car garages, twelve units with single car garages.
- The parcel, which was previously part of the Fairburn Elementary School grounds, is presently open space.
- The design allows vehicle access to the units from an internal roadway.
- View corridors have been designed to allow people walking down the street to see through to the buildings in behind.
- There will be a walkway through the site protected by an easement.
- In consideration of saving the Garry oak trees in the northwest corner, a study of the trees was conducted and the design of the upper floors of some of the units have been set back to avoid the branches.
- A small playground will be located in the centre of the complex.
- There are a number of large fields in the surrounding area for children to play.
- The project represents 33% lot coverage.
- 58 parking spaces will be provided; 44 of the parking spaces will be located in garages.
- The lamp standards will face downward to avoid light pollution.
- In order to maintain the privacy of the residents adjacent to the municipally-owned walkway a six-foot high hedge will be planted to match the vegetation at 1888 Laval Avenue.

Mr. D. Ensing, Landscape Architect

- There are a number of significant Garry oak trees on the north side of the property which will be saved.
- A lot of existing greenery will be retained.
- The neighbour on the south easterly corner will have the benefit of a hedge along the border of the existing right-of-way.
- There will be three accesses from Laval Avenue, one will lead to the small playground area.
- A large playground with equipment is situated to the north east of the property.
- The access which belongs to Saanich will be delineated by a chain link fence.
- Ornamental plants will be used along the principal entrance.
- Aqua-Pave or a similar product will be used and will drain to the centre driveway area.
- The existing Snow Berry bushes will be retained.
- A number of boulevard trees, approximately 3.5 or 4 meters in height, will be planted along Laval Avenue to provide privacy and a residential feel.
- The residential appearance will be enhanced by the front doors leading out to Laval Avenue.
- To increase privacy for those units, the patios will be fenced with a solid bottom section, topped with lattice and an arbor.

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Councillor Hunter entered the meeting at 7:51 p.m.

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Mr. D. Bottrell, Arborist, stated:

- The existing Garry oak trees are remnants of a much larger Garry oak grove.
- A drain which altered the hydrology in the area caused pools of standing water during the winter months which impacted on the health of the trees.
- The size of the canopy of the Garry oaks created a conflict with the design of the buildings.
- The new design, which allows one meter of clearance between the buildings and the tree canopy has been approved by the Saanich Parks Department.
- At the time of construction, if any branches require pruning it will mean that there will have to be a design change to the building.

Mr. N. Neate, Delcan Corporation, stated

- A draft storm water management plan has been developed and submitted to Saanich.
- Any water leaving the site will be fairly clean.
- Most water, which lands on roofs, will be released from the site untreated.
- The water from the paved areas will go through oil/water separators.
- Bioswales may be incorporated into the design if appropriate.
- The intent is to meet the requirement to create no increase in runoff from the site during storm events.

## **PUBLIC INPUT**

Ms. M. Brown, 1806 Chimo Place, stated:

- Fairburn Elementary School has been closed and it is unlikely it will be reopened, therefore the playground which is close may not be there in the future.
- From our work with the neighbours, it is hard to believe that letters of support would come from any of the residents who live in the vicinity of the proposed development.
- It is easy to support a project if your property is not directly affected.

Ms. D. Ricketts, 4154 Tyndall Avenue, spoke in support and stated:

- This is an excellent proposal with a lot of open space.

Mr. H. Deimer, 3986 Gordon Head Road, stated

- Since many families own two cars, there is a potential for 56 vehicles from this complex.
- Most of this traffic will exit at the corner of Gordon Head Road and Laval Avenue causing increased traffic downstream.
- The proposed development should be reduced in scope and size.
- The three-unit block appears attractive on the drawings but those buildings will not look like that when finished and will not fit the character of the community.
- Parking will spill onto Laval Avenue which will add to the existing spill-over parking from the university.

- Section 6.d. of the Development Permit requires that if any tree identified for retention is destroyed it must be replaced, it cannot be replaced with anything remotely the same size.
- The trees planted as part of the landscaping will take considerable time to mature leaving area residents looking at a big building for a long time.
- This proposal should be reduced by eight or ten units.
- The sidewalks should be installed by Saanich because the municipality does a better job than developers.

Mr. Y. Hundal, 1744 Blair Avenue, spoke in support and stated:

- This is a good proposal.

Mr. J. Edwards, 1842 Chimo Place, stated:

- A multi-family development should not be considered when it is surrounded by single family homes.
- Neighbours should be made aware of other options for this site.
- The developer could not guarantee that pedestrians would have free access through the development.
- He would like an eight foot lane at the rear of the property to allow people from Chimo Place access to the playing fields.
- He doesn't deny the owner the right to develop but it should be done aesthetically to blend in with the neighbourhood.

Mr. T. Turner, 5 – 3987 Gordon Head Road, spoke in support and stated:

- He lives in a 72 unit town home complex which is less than 75 paces from the proposed development.
- A straw poll of the owners in this complex indicated overwhelming support.
- The vehicles from the proposed development will not impact traffic on Gordon Head Road, but if they did Council would have to make some decisions in the future.

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Councillor Ngai entered the meeting at 8:22 p.m.

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Mr. W. Hyslop, 53 – 3987 Gordon Head Road, spoke in support and stated:

- He lives in a 72 unit townhouse complex approximately a block away from the proposed development.
- He was able to move to the Gordon Head area to raise his family because his townhouse was more affordable than a single family home.
- The new development will make the area more attractive and will increase the value of his townhouse.
- It is an affordable alternative which is close to all levels of schools.

Mr. G. Cameron, 1869 Ventura Way stated:

- He hopes Council will vote against this application.
- It is not a good precedent to set to encourage the School District to sell school property.
- There are large townhouses to the east and west of the property, there is no need for more.

Ms. P. Nielson, Wildwood Way, Langford, stated:

- She supports the application and looks forward to possibly living there in the future.

Mr. J. Sun, 1896 Laval Avenue, stated:

- He has lived on Laval Avenue for the last ten years during which time he has witnessed two accidents.
- The proposed development could add 50 more vehicles.
- The intersection of Laval Avenue and Gordon Head Road is used by the students of Mount Douglas Secondary School and the University of Victoria and is already very crowded.

Mr. J. Thornton, 1810 Chimo Place, stated:

- The proposed development does not fit the character of the neighbourhood.
- At the last meeting all but one of the neighbours opposed it.
- Four of the ten variances will affect his property; one is the setback from his fence.
- The plan places a two and a half storey wall behind his house, thereby blocking his view and the sunlight.
- He requested that Council endorse the standard setback from his property line.
- He described the vandalism that he observed while on a walk around the neighbourhood and stated that the proposed development would do nothing to reduce it.

Mr. P. McKivett, 4019 Loyola Street, spoke in support and stated:

- His property is located on the west side of Fairburn Elementary School overlooking the school yard.
- He has lived in the area for over 30 years, starting out in a townhouse.
- The development speaks to the issues of the Regional Growth Strategy and the Official Community Plan regarding more affordable dwellings.
- He would prefer to have a strata complex adjacent to him rather than a house owned by an absentee landlord, rented by eight students.
- There are houses utilized in this manner which are not good for the neighbourhood.
- During the 1980's and 1990's the School Board realized that the school was in decline.
- The subject property was purchased many years ago and was never regularly used as part of the school fields.
- It does provide another avenue of housing to accommodate the needs of the area.

Mr. S. Coe, President of the Gordon Head Residents Association, stated:

- The Association realizes that there is a Regional Growth Strategy and that there will be infill development.
- There is an older segment of society that needs to downsize and younger families that need housing.
- The reality is that there are townhouses to the east and Mount Douglas Secondary School across from the site.
- The Gordon Head Residents Association is not opposed to this application.

Ms. T. Girolami, 1888 Laval Avenue, stated:

- The developer has agreed to plant a hedge adjacent to her property to provide more privacy.
- She would like to see fewer units.

Mr. J. Boss, 3969 Panther Street, spoke in support and stated:

- His three children attend school within a mile of the proposed development.
- The idea of purchasing a residence there is a favourable one for him.

Mr. P. Kirstein, 1833 Chimo Close, spoke in opposition and stated:

- He has been living in his house for 15 years.
- Prior to that he enjoyed living in a townhouse because of the amount of green space it provided.
- This proposal appears to have very little green space.
- With the closing of Fairburn Elementary School he has had to drive his child to another school.
- He has observed that the traffic has really picked up and has become an issue.
- He would prefer that the developer reduce the number of units.
- It appears that people in support of the application are townhouse residents or people who want to come into the area themselves.
- He could not support the proposed development.

Mr. A. Miller, 1843 Laval Avenue spoke in support and stated:

- He supports this project and agrees there is a parking issue which could be mitigated by some pull out parking spots.

Mr. J. Puritch, 227 Linden Avenue spoke in support and stated:

- He would like to move his family back into the neighbourhood where he grew up.
- Affordable housing, such as this development, would provide the opportunity.

Mr. A. Milne, 1854 Feltham Road spoke in support and stated:

- He lives in a small duplex and drives through this area two to three times a week.
- He views this project as a perfect opportunity to upgrade from his duplex.
- He strongly supports the proposal and hopes that it is approved.

Mr. J. Hook 1852 Laval Avenue spoke in support and stated:

- The development of this site will reduce vandalism in the area.
- The drivers coming from Gordon Head Road tend to speed up on Laval Avenue when they come to that dead zone.
- The presence of this development will help slow down the traffic.
- Hopefully these young families moving in with young children will increase enrollment and cause the school to re-open.

Mr. F. Soto, 1844 Fairburn Drive, stated:

- He is not opposed to the project but is opposed to the number of units.
- It does not fit the area.

Mr. Gill, 3953 Gordon Head Road spoke in support and stated:

- This is a good proposal.
- There is a demand for more housing in the area.

Mr. W. Brown, 1806 Chimo Place, stated:

- Imagine stepping out into your back yard and having to view a building 20 feet high and 60 feet wide.
- We are facing a density problem.
- This will not be affordable housing.
- This proposal is not in keeping with the character of the houses on Chimo Place.

Mr. R. Barry, 3941 Shelbourne Street spoke in support and stated:

- There are residents on Chimo Place that are in favour of change.
- The proposal appears to conform with the Regional Growth Strategy.

Mr. N. Gilberstad, 1809 Chimo Place, stated:

- He believes that a compromise can be reached if the developer agrees to a reduction in height, installing a walkway between Chimo Place and the complex and reducing the number of units to 20.
- Not enough thought has been given to the impact on the neighbourhood.

Mr. G. Thurber, 1892 Laval Avenue, spoke in support and stated:

- He believes that another thirty to fifty vehicles will not significantly affect the traffic on Gordon Head Road.
- His wife has been looking forward to some sort of development being built on the property as she is concerned about vandalism in the park.
- It is not going to make a difference whether it's a 2 storey townhouse or 2 storey house – people are going to lose their views.
- The developer has already reduced the number of units from the 36 originally proposed.

#### **APPLICANT'S RESPONSE**

Mr. W. Peereboom stated:

- They have been working with the community association and the municipality for over a year.
- The property is presently zoned for public use.
- A church could be built on the property without rezoning.
- Each townhouse unit will be 26 feet wide.
- A standard single family dwelling is twice that width.
- In order to avoid having a "barracks" look they articulated the upper floors by setting them back and forth and changing the colour of the surfaces.
- Due to the topography, in the south west corner, they require a height variance for one unit.
- The units are no higher than a typical single family dwelling, in fact they are a little lower.
- A new curb and gutter will be installed along Laval Avenue as well as some extra parking.

- They have gone through an extensive and arduous process to make sure that the oak trees will be maintained as well as the 15 foot high cedar hedge which screens the project from Chimo Place.

The Mayor declared the public hearing for this item closed. It was the consensus of Council that as two members of Council are not able to vote until they review the section of the minutes of the meeting that they missed, that consideration of the bylaws be deferred to a future Council meeting.

No. 17  
Bylaw No. 8734  
Lochside Drive

"ZONING BYLAW, 2003, AMENDMENT BYLAW, 2006, NO. 8734"

### **PROPOSED TWO LOT RESIDENTIAL SUBDIVISION ON LOCHSIDE DRIVE**

To rezone Amended Lot 20 (DD 244829I), Section 30, Lake District, Plan 7575 (**5064 LOCHSIDE DRIVE**) from zone RS-18 (single family dwelling – minimum lot size 2 ha) to zone RS-12 (single family dwelling – minimum lot size 930 m<sup>2</sup>) for a proposed two-lot residential subdivision.

The Notice of Public Hearing; report of the Director of Planning dated November 23, 2005 recommending rezoning approval; two letters from the applicant; letter from the Cordova Bay Association stating "no objection" provided that a covenant is registered restricting house size, the existing driveway will be utilized and the evergreen in the southeast corner of the parcel will be protected were introduced.

### **APPLICANT**

Mr. P. Nirwan, 5064 Lochside Drive stated:

- He has provided a copy of the streetscape plan as requested.
- It is not possible to move the existing house due to its construction, however it will be deconstructed.
- Two trees of native species, possibly Vine Maple, will be planted to replace the cedar tree fronting the property.
- He is also willing to provide a covenant to restrict house size..

### **PUBLIC INPUT**

Mr. R. Stonebanks, President Cordova Bay Community Association stated:

- The Association does not have any objection to the proposal.
- There were two conditions of concern to the Association, one of which was the restriction on the house size which the applicant has agreed to.
- The applicant should ensure that the design of the houses fits with the neighbourhood.
- There is a letter from an arborist which says that construction of a driveway may impact tree number 5; attempts should be made to save it.

Mr. J. Brady, 5068 Lochside Drive stated:

- He lives adjacent to the site on the north side.
- He supports the proposal in principle and sees no substantive objections.
- The height of the proposed buildings is a concern as they are much larger than the existing homes on Lochside Drive.

- The streetscape plan indicates that the architect has respected the roof lines and shapes of the adjacent buildings, but the neighbouring homes are nowhere near the same scale.

Mr. W. Peereboom, Victoria Design, stated:

- He was hired by Mr. Nirwan to work on the design of proposed buildings on the property.
- He has tried to respect the massing and proportions of the neighbouring homes which is very hard to illustrate in a two-dimensional drawing.
- The floor plan shows that the upper floors are set back to give the presence of a two-storey building.
- When the project is done it will be in keeping with the existing houses.

### **APPLICANT'S RESPONSE**

In response to questions from Council members, Mr. Peereboom stated:

- The Cedar tree is not indigenous; it will be replaced with boulevard trees along the frontage of those houses.
- It started out as a shrub that is now overgrown.
- The plan was that when we take down the tree we will plant boulevard trees along the frontage of those houses.
- The natural edge of the road will enhance that with whatever requirements the Engineering Department might have.
- He would prefer that the natural drainage system be enhanced with a bioswale gravel system.
- The cedar tree bordering the neighbour's property will be saved.

Mr. Nirwal stated:

- The tree in front of the house, number 5, Ron Carter from the Parks Department looked at it.
- The Parks Department has indicated that it is unlikely that tree number 5 can be saved; two new trees will be planted to replace it.

**Moved by Councillor Ngai and Seconded by Councillor Wergeland: "That the application to rezone to RS-12 be approved."**

**CARRIED.**

No. 18  
Bylaw No. 8734  
Lochside Drive

"ZONING BYLAW, 2003, AMENDMENT BYLAW, 2006, NO. 8734"  
Second Third and Final Readings.

**Moved by Councillor Brownoff and Seconded by Councillor Wergeland: "That Bylaw No. 8734 be read a second time."**

**CARRIED**

**Moved by Councillor Ngai and Seconded by Councillor Wergeland: "That Bylaw No. 8734 be now passed."**

**CARRIED**

**Moved by Councillor Ngai and Seconded by Councillor Wergeland: "That Bylaw No. 8734 be adopted by Council and the Seal of the Corporation be attached thereto."**

**CARRIED**

No. 19  
Bylaw No. 8735  
PLD55

“OFFICIAL COMMUNITY PLAN BYLAW, 1993, AMENDMENT BYLAW, 2006, NO. 8735”

**ROYAL OAK AND CORDOVA BAY LOCAL AREA PLANS – ROYAL OAK BURIAL PARK MASTER PLAN**

The intent of the proposed bylaw is to amend Section 9 (Institutions and Public Assembly) in the Cordova Bay Local Area Plan and Section 13 (Institutions and Public Assembly) in the Royal Oak Local Area Plan to include a new policy to ensure future development within the Royal Oak Burial Park generally conforms with the Royal Oak Burial Park Master Plan, June 30, 2005.

The Notice of Public Hearing; report of the Director of Planning dated September 20, 2005 recommending that the institutional sections of both the Royal Oak and Cordova Bay Local Area Plans be amended; 4 letters from the applicant, and letters from: the Falaise Community Association stating “no opposition”, the Broadmead Area Residents Association in support, and the Royal Oak Community Association in support were introduced.

Bylaw No. 8736  
Cherry Tree Bend

AZONING BYLAW, 2003, AMENDMENT BYLAW, 2006, NO. 8736”

**PROPOSED REZONING ON CHERRY TREE BEND FOR CONSOLIDATION WITH THE ROYAL OAK BURIAL PARK**

To rezone Lot 1, Sections 47 and 48, Lake District, Plan 7793 (**4853 CHERRY TREE BEND**) from zone A-1 (rural) to zone P-7 (funeral home and cemetery) in order to consolidate the subject property with the Royal Oak Burial Park site at 4673 Falaise Drive.

The Notice of Public Hearing; report from the Director of Planning dated September 19, 2005 recommending that the rezoning be approved; 2 letters from the applicant; a letter stating “no opposition” from the Cordova Bay Association; and 1 letter in opposition were introduced.

**APPLICANT**

Mr. S. Olson, Executive Director, Board of Cemetery Trustees of Greater Victoria / Royal Oak Burial Park stated:

- This plan is the culmination of five years of work.
- The rezoning of the property on Cherry Tree Bend will give pedestrian and service access.

**PUBLIC INPUT**

Mr. M. Chazottes, 5069 Lochside Drive, a member of the Board of Cemetery Trustees; was present in support of the application.

Mr. R. Stonebanks, President of the Cordova Bay Association stated:

- The Cordova Bay Association has no objection to this proposal.
- At the Committee of the Whole meeting a resident of Cherry Tree Bend expressed concern about truck traffic and the safety of his small children; the cemetery voluntarily offered to restrict truck traffic to school hours.

**APPLICANT'S RESPONSE**

Mr. S. Olson stated:

- He did have a discussion the resident on Cherry Tree Bend and agreed to restrict truck traffic during school hours.

**Moved by Councillor Derman and Seconded by Councillor Brownoff: "That the institutional sections of both the Royal Oak and Cordova Bay Local Area Plans be amended to reference the Royal Park Master Plan, June 30, 2005'."**

**CARRIED**

**Moved by Councillor Brownoff and Seconded by Councillor Ngai: "That the application to rezone to P-7 be approved."**

**CARRIED**

No. 20  
Bylaw No. 8735  
PLD55

"OFFICIAL COMMUNITY PLAN BYLAW, 1993, AMENDMENT BYLAW, 2006, NO. 8735"

Second, Third and Final Readings.

**Moved by Councillor Derman and Seconded by Councillor Wergeland: "That Bylaw No. 8735 be read a second time."**

**CARRIED**

**Moved by Councillor Derman and Seconded by Councillor Wergeland: "That Bylaw No. 8735 be now passed."**

**CARRIED**

**Moved by Councillor Derman and Seconded by Councillor Wergeland: "That Bylaw No. 8735 be adopted by Council and the Seal of the Corporation be attached thereto."**

**CARRIED**

No. 21  
Bylaw No. 8736  
Cherry Tree Bend

"ZONING BYLAW, 2003, AMENDMENT BYLAW, 2006, NO. 8736"

Second and Third Readings

**Moved by Councillor Brownoff and Seconded by Councillor Sanders: "That Bylaw No. 8736 be read a second time."**

**CARRIED**

**Moved by Councillor Brownoff and Seconded by Councillor Sanders: "That Bylaw No. 8736 be now passed."**

**CARRIED**

No. 22  
Bylaw No. 8739  
Gordon Head Road

"ZONING BYLAW, 2003, AMENDMENT BYLAW, 2006, NO. 8739"

**PROPOSED ACCESSORY BUILDING ON GORDON HEAD ROAD**

To rezone Lot B, Section 85, Victoria District, Plan 5703 (**4346 GORDON HEAD ROAD**) from zone RS-16 (single family dwelling - maximum lot coverage for accessory buildings and structures - 2.5%) to RS-12 (single family dwelling - maximum lot coverage for accessory buildings and structures - 10%) to allow the construction of a 64 m<sup>2</sup> accessory building.

The Notice of Public Hearing; report of the Director of Planning dated December 19, 2005 recommending rezoning approval was introduced.

**APPLICANT**

Mr. W. Slobodan, 4346 Gordon Head Road was present in support of the application.

**PUBLIC INPUT**

Nil.

**APPLICANT’S RESPONSE**

Nil.

**Moved by Councillor Ngai and Seconded by Councillor Wergeland: That the application to rezone to RS-12 be approved.”**

**CARRIED**

No. 23  
Bylaw No. 8739  
Gordon Head Road

“ZONING BYLAW, 2003, AMENDMENT BYLAW, 2006, NO. 8739”  
Second Third and Final Readings

**Moved by Councillor Ngai and Seconded by Councillor Wergeland: “That Bylaw No. 8739 be read a second time.”**

**CARRIED**

**Moved by Councillor Ngai and Seconded by Councillor Wergeland: “That Bylaw No. 8739 be now passed.”**

**CARRIED**

**Moved by Councillor Ngai and Seconded by Councillor Wergeland: “That Bylaw No. 8739 be adopted by Council and the Seal of the Corporation be attached thereto.”**

**CARRIED**

Adjournment

On a motion from Councillor Derman the meeting adjourned at 9:32 p.m.

.....  
MAYOR

I hereby certify these Minutes are accurate.

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MUNICIPAL CLERK