

DISTRICT OF SAANICH
MINUTES OF THE COUNCIL MEETING
HELD IN THE COUNCIL CHAMBERS
SAANICH MUNICIPAL HALL, 770 VERNON AVENUE
MONDAY, SEPTEMBER 23, 2013 AT 7:30 PM

Present: **Chair:** Mayor Leonard
Council: Councillors Brice, Brownoff, Derman, Gerrard, Murdock, Sanders, Wade and Wergeland
Staff: Paul Murray, Chief Administrative Officer; Mike Lai, Acting Director of Engineering; Jarret Matanowitsch, Acting Director of Planning; Donna Dupas, Legislative Manager; and Lynn Merry, Senior Committee Clerk

Minutes **ADOPTION OF MINUTES**

MOVED by Councillor Brice and Seconded by Councillor Gerrard: “That Council adopt the minutes of the September 9, 2013 Council and Committee of the Whole meetings and the September 10, 2013 Special Council Meeting.”

CARRIED

BYLAWS

2870-30
Linwood Avenue

ZONING BYLAW AMENDMENT – NEW ZONE RT-FC (ATTACHED HOUSING FOUR CORNERS)

Final Reading of the “Zoning Bylaw, 2003, Amendment Bylaw, 2013, No. 9227”. To create a new zone RT-FC (attached housing four corners).

MOVED by Councillor Gerrard and Seconded by Councillor Brice: “That Bylaw No. 9227 be adopted by Council and the Seal of the Corporation be attached thereto.”

CARRIED

2870-30
Linwood Avenue

3440 LINWOOD AVENUE – REZONING TO RT-FC

Final Reading of the “Zoning Bylaw, 2003, Amendment Bylaw, 2013, No 9228” and approval of Development Permit DPR00524. Rezoning from RD-1 to RT-FC for a proposed eight unit townhouse.

MOVED by Councillor Derman and Seconded by Councillor Sanders: “That Bylaw No. 9228 be adopted by Council and the Seal of the Corporation be attached thereto.”

CARRIED

MOVED by Councillor Gerrard and Seconded by Councillor Derman: “That Council approve and issue DPR00524 on Parcel C (DD226138I) of Lot 3, Section 62, Victoria District, Plan 2420 (3440 Linwood Avenue).”

CARRIED

1110-30
Garbage
Collection and
Disposal Bylaw

GARBAGE COLLECTION AND DISPOSAL BYLAW – TO PROVIDE FOR THE CURBSIDE COLLECTION OF ORGANICS AND HOUSEHOLD GARBAGE

Three Readings of the “Garbage Collection and Disposal Bylaw, 2013, No. 9233”. To establish a new bylaw for the provision of curbside collection of organics and household garbage, and to repeal the “Garbage Collection and Disposal Bylaw, 2005, No. 8663.”

MOVED by Councillor Brice and Seconded by Councillor Wade: “That Bylaw No. 9233 be introduced and read.”

CARRIED

MOVED by Councillor Brice and Seconded by Councillor Wade: “That Bylaw No. 9233 be read a second time.”

CARRIED

MOVED by Councillor Brice and Seconded by Councillor Wade: “That Bylaw No. 9233 be now passed.”

CARRIED

1110-30
Garbage
Collection and
Disposal Bylaw

GARBAGE COLLECTION AND DISPOSAL BYLAW AMENDMENT – 2014 RATES

Three Readings of the “Garbage Collection and Disposal Bylaw, 2005, Amendment Bylaw, 2013, No. 9238”. To establish the 2014 rates.

MOVED by Councillor Brice and Seconded by Councillor Wade: “That Bylaw No. 9238 be introduced and read.”

CARRIED

MOVED by Councillor Brice and Seconded by Councillor Wade: “That Bylaw No. 9238 be read a second time.”

CARRIED

MOVED by Councillor Brice and Seconded by Councillor Wade: “That Bylaw No. 9238 be now passed.”

CARRIED

2870-30
Annie
Street/McKenzie
Avenue

ZONING BYLAW AMENDMENT – NEW ZONE RM-MQ1 (RESIDENTIAL MIXED MCKENZIE-QUADRA)

First Reading of the “Zoning Bylaw, 2003, Amendment Bylaw, 2013, No. 9236”. To create a new zone RM-MQ1 (residential mixed McKenzie-Quadra) with apartment, attached housing, home occupation office and accessory buildings as permitted use.

MOVED by Councillor Derman and Seconded by Councillor Gerrard: “That Bylaw No. 9236 be introduced and read.”

CARRIED

2870-30
Annie
Street/McKenzie
Avenue

992 AND 998 ANNIE STREET/991 AND 999 MCKENZIE AVENUE – REZONING TO RM-MQ1

First Reading of the “Zoning Bylaw, 2003, Amendment Bylaw, 2013, No. 9237”. Rezoning from RS-6 and RS-10 to RM-MQ1 for proposed apartment building and six attached townhouses over underground parking.

MOVED by Councillor Derman and Seconded by Councillor Sanders: “That Bylaw No. 9237 be introduced and read.”

CARRIED

RECOMMENDATIONS FROM COMMITTEES

2550-20
Environmental
Conservation

NATIONAL MARINE CONSERVATION AREA

Recommendation from the June 25, 2013 Environment and Natural Areas Advisory Committee that Council correspond with Parks Canada to indicate its support of the proposed National Marine Conservation Area, request continued discussion of the potential impacts of the loss of municipal zoning below the natural boundary, and request the proposed boundary consider Saanich Environmentally Significant Areas Atlas.

MOVED by Councillor Murdock and Seconded by Councillor Brownoff: “That Council correspond with Parks Canada to:

- **indicate its support of the proposed National Marine Conservation Area;**
- **request continued discussion of the potential impacts of the loss of municipal zoning below the natural boundary; and**
- **request the proposed boundary consider Saanich Environmentally Significant Areas Atlas.”**

Councillor Derman stated:

- He supports the motion; establishing protected areas is important.

CARRIED

REPORTS FROM MEMBERS OF COUNCIL

2190-30
Pedestrian
Mobility

SIDEWALK STRATEGY

Report from Councillor Murdock dated September 16, 2013 recommending Council ask staff to develop a Sidewalk Strategy to manage the demand for sidewalks.

Councillor Murdock stated:

- He visited neighbourhoods within the municipality to review the walking environment; there is excellent work being undertaken.
- A number of sidewalk projects are approved every year as part of the annual budget process; the Pedestrian Priority Implementation Plan (PPIP) is an excellent tool to assess the need for sidewalks.
- He recommends staff compile an inventory of the identified PPIP projects, bring together an inventory of the improvement process, and Council be presented with options on how to confront the challenges.

Councillor Brownoff stated:

- Local Area Plans and the Safe Routes to School policy address sidewalk issues; a report outlining the different policies currently in place, sidewalk reviews undertaken and the implementation process would be useful.
- The report could be made part of the strategic planning process.

Councillor Derman stated:

- The Bicycle and Pedestrian Mobility Advisory Committee (BiPED) will be discussing pedestrian infrastructure and has begun the process of identifying potential pedestrian destinations in Saanich.
- Existing sidewalks will be reviewed by BiPED; networks should be identified connecting sidewalks logically to destinations.
- Scooter traffic has to be considered when designing sidewalks; BiPED will bring recommendations to Council as to future development of sidewalks.

Councillor Sanders stated:

- This is an opportunity to look at existing policies and Local Area Plans as they pertain to sidewalks.
- There are options available for construction of sidewalks including neighbourhood improvement plans, cost-sharing and having developers construct sidewalks as part of their applications.
- A report from staff would be useful in planning a process.

Councillor Gerrard stated:

- Residents have mixed feelings about sidewalks; the Healthy Saanich Advisory Committee will be discussing the PPIP.
- A sidewalk strategy should be included in the Strategic Planning process; a report from staff should be forwarded to committees for review, include public consultation and then be reviewed by Council.

Councillor Wade stated:

- This is a complex issue; she is pleased that Council is going to consider a process.

Councillor Wergeland stated:

- There is no question that sidewalks improve neighbourhoods; Council is aware of the community's concerns.
- There is a process in place to identify priorities.

Mayor Leonard stated:

- A staff report including current policies, funding, historic context and committee strategies on sidewalk development would be helpful; the report could be made part of the strategic planning process.

Councillor Murdock stated:

- A staff report is in the spirit of his intention; there is an expectation from residents for action.

Councillor Brownoff stated:

- Residents may not be aware of what has been done in their neighbourhoods; more information to the community highlighting work being done and accomplishments in neighbourhoods should be considered.

MOVED by Councillor Brownoff and Seconded by Councillor Derman: “That staff be requested to prepare a report providing information on the development of sidewalk infrastructure including reference to current policies, funding, community strategies for development and historic context.”

CARRIED

Adjournment On a motion from Councillor Brownoff, the meeting adjourned at 8:03 pm.

The meeting reconvened at 8:53 pm.

RECOMMENDATIONS

From the Committee of the Whole Meeting held September 23, 2013

1110-30
Permissive Tax
Exemptions

PERMISSIVE TAX EXEMPTIONS

MOVED by Councillor Brice and Seconded by Councillor Wergeland: “That the request for a 2014 permissive tax exemption from the Victoria United Chapter Society for the property at 3281 Harriet Road, as outlined in the report of the Director of Finance dated September 16, 2013, be denied”.

CARRIED

5170-20
Cost Sharing
Agreement

CAPITAL REGIONAL DISTRICT WATERSHED COORDINATOR FUNDING

MOVED by Councillor Brice and Seconded by Councillor Derman: “That Council:

- **inform the CRD that Saanich’s contribution to the CRD Watershed Coordinator position (Bowker Creek Watershed) is to be phased out over the next three years; and**
- **correspond with the CRD, the District of Oak Bay, and the University of Victoria to indicate support for funding the CRD Watershed Coordinator position (Hobb’s Creek Watershed).”**

CARRIED

In Camera Motion

MOVED by Mayor Leonard and Seconded by Councillor Brice: “That pursuant to Section 18 (a), (e) and (i) of Council Procedure Bylaw, 2007, No. 8840, the following meeting be closed to the public as the subject matters being considered relate to an identifiable individual who is being considered for a position appointed by the District, to the acquisition of land or improvements and the receipt of advice that is subject to solicitor-client privilege.”

CARRIED

Adjournment On a motion from Councillor Brice, the meeting adjourned at 8:54 pm.

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MAYOR

I hereby certify these Minutes are accurate.

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MUNICIPAL CLERK

DISTRICT OF SAANICH
MINUTES OF THE COMMITTEE OF THE WHOLE MEETING
HELD IN THE COUNCIL CHAMBERS
SAANICH MUNICIPAL HALL, 770 VERNON AVENUE
MONDAY, SEPTEMBER 23, 2013 AT 8:05 PM

Present: **Chair:** Councillor Wergeland
Council: Mayor Leonard and Councillors Brice, Brownoff, Derman, Gerrard, Murdock, Sanders, and Wade
Staff: Paul Murray, Chief Administrative Officer; Mike Lai, Acting Director of Engineering; Jarret Matanowitsch, Acting Director of Planning; Donna Dupas, Legislative Manager; and Lynn Merry, Senior Committee Clerk

2860-40
Cordova Bay Road

4559 CORDOVA BAY ROAD – DEVELOPMENT VARIANCE PERMIT AND REQUEST FOR INCLUSION IN THE SEWER SERVICE AREA – M.H. JOHNSTON & ASSOCIATES, INC. (MARK JOHNSTON)

Report of the Director of Planning dated July 16, 2013, recommending Council approve Development Variance Permit DVP00332 for a proposed new single family dwelling with variances to the front yard setback and building height, and inclusion in the Sewer Service Area; and that prior to ratification a covenant be registered under Section 219 of the *Land Title Act* as outlined.

In response to a question from Council, the Acting Director of Engineering stated that Saanich’s Engineering staff reviewed the applicant’s geotechnical report and it did not identify any issues with groundwater.

The applicant, M. Johnston, M.H. Johnston & Associates, Inc., stated:

- A geotechnical report was required because of the steep slope on the site.
- The applicant is requesting variances for a reduction of the permitted front yard setback and an increase in the maximum single face building height and inclusion in the Sewer Service Area.
- A geotechnical engineer has certified the site is capable and safe for construction and meets the earthquake requirements in the Building Code.
- Letters of assurance that the site is safe to be built on were provided.
- The applicant will enter into the required covenants.

In response to questions from Council, the applicant stated:

- Seven trees will be removed from the property to allow for construction.
- There was no requirement to contact the Community Association.

In response to questions from Council, the Acting Director of Engineering stated:

- He would forward details to Council regarding why the four lots on Cordova Bay Road were not included in the Sewer Service Area.
- If erosion began to occur on the slope, the applicant would be required to consult with the municipality to determine mitigation and ensure slope stability.
- Municipal staff would be required to give final approval for mitigation measures.

PUBLIC INPUT:

Nil

In response to questions from Council, the applicant stated:

- As part of the geotechnical engineer's report, there is a requirement to do a review every two years in regards to the stability of the slope; if the review finds any issues with the slope, the geo-technician will make recommendations for remedial action.
- There are methods of foreshore remediation that do not require heavy equipment; the variances do not impact the foreshore.
- A house could be built without variances but that would entail redesigning the house; the shape and nature of the lot makes it difficult to build on.

In response to a question from Council, the Acting Director of Planning stated that concerns were identified in the Report of the Director of Planning in terms of land use policies, the Cordova Bay Local Area Plan and environmental impact.

Motion:

MOVED by Councillor Wade and Seconded by Councillor Gerrard : "That it be recommended that:

- a) **Development Variance Permit (DVP00332) on Lot 4, Block 6, Section 24, Lake District, Plan 1278A (4559 Cordova Bay Road) be rejected; and**
- b) **the property described as Lot 4, Block 6, Section 24, Lake District, Plan 1278A (4559 Cordova Bay Road) not be included in the Sewer Service Area".**

Councillor Wade stated:

- The applicant did not explain why variances were required for this proposed development.

Councillor Gerrard stated:

- Inclusion in the Sewer Service Area is not required because there were no health concerns identified.
- He is concerned about the possibility of liability to Saanich in the case of erosion or landslip.
- Community consultation would have been desirable; he is in favour of rejection of the application.

- In response to a question from Council, the Acting Director of Planning stated:
- If the application met the requirements of the Zoning Bylaw, no variances were required, and the Building Official and Engineering Department were satisfied, a Building Permit would be issued.
 - The same covenants would be required for a Building Permit as in this application.

The Motion was then Put and CARRIED

1110-30
Permissive Tax
Exemptions

PERMISSIVE TAX EXEMPTIONS

- (a) Report of the Director of Finance dated September 16, 2013 recommending Council endorse granting a permissive tax exemption for the Iglesia Ni Cristo (Church of Christ) for the property at 4054 Carey Road and direct staff to conduct the statutory notification.

PUBLIC INPUT:

Nil

Motion:

MOVED by Councillor Derman and Seconded by Councillor Brownoff: "That the request for a permissive tax exemption from Iglesia Ni Cristo (Church of Christ) for the property at 4054 Carey Road, as outlined in the report of the Director of Finance dated September 16, 2013, be granted."

CARRIED

1110-30
Permissive Tax
Exemptions

- (b) Report of the Director of Finance dated September 16, 2013 recommending Council deny the request for a permissive tax exemption for 2014 from the Victoria United Chapter Society for the property at 3281 Harriet Road.

PUBLIC INPUT:

Nil

Motion:

MOVED by Councillor Brice and Seconded by Councillor Sanders: "That it be recommended that the request for a 2014 permissive tax exemption from the Victoria United Chapter Society for the property at 3281 Harriet Road, as outlined in the report of the Director of Finance dated September 16, 2013, be denied".

CARRIED

5170-20
Cost Sharing
Agreement

CAPITAL REGIONAL DISTRICT WATERSHED COORDINATOR FUNDING

Report of the Director of Planning dated September 19, 2013 recommending Council inform the CRD that Saanich's contribution to the CRD Watershed Coordinator position (Bowker Creek Watershed) is to be phased out over the next three years; and correspond with the CRD, the District of Oak Bay, and the University of Victoria to indicate support for funding the CRD Watershed Coordinator position (Hobb's Creek Watershed).

In response to questions from Council, the Manager of Environmental Services stated:

- Discussion has taken place between the parties regarding the three year commitment to fund the Watershed Coordinator position; after the three year commitment, a review took place and it was decided that funding should be reviewed.
- A compromise was struck to gradually phase out funding to allow a transition and diversify the responsibilities from the Coordinator.

- The Bowker Creek initiative will continue and can be monitored through the various representatives, through municipal policies and the adoption of the Bowker Creek Blueprint.
- Annual reporting will be a shared responsibility.
- The CRD went through a priority-setting exercise to select which watersheds to become involved with.
- Changes in funding will be consecutive; as the funding is reduced for Bowker Creek, it will increase for Hobb's Creek; by 2016, funding will maximize for Hobb's Creek.
- There is support for the funding changes from the partners.
- The initiative to use the 100-year plan for the creation of an environmental development permit area was referred to staff and reports were generated; the Bowker Creek Coordinator is at the information-gathering stage and will obtain examples of watershed management plans from other jurisdictions to assist staff in determining what tool would be appropriate.

Councillor Gerrard stated that there is interest in the health of Bowker Creek; it is important to carry on the vision of the 100-year plan for Bowker Creek.

PUBLIC INPUT:

Nil

Motion:

MOVED by Councillor Derman and Seconded by Councillor Gerrard:
"That it be recommended that Council:

- **inform the CRD that Saanich's contribution to the CRD Watershed Coordinator position (Bowker Creek Watershed) is to be phased out over the next three years; and**
- **correspond with the CRD, the District of Oak Bay, and the University of Victoria to indicate support for funding the CRD Watershed Coordinator position (Hobb's Creek Watershed)".**

Councillor Derman stated he is satisfied that the Manager of Environmental Planning has heard Council's concerns regarding continuation of the vision for Bowker Creek.

CARRIED

Adjournment On a motion from Councillor Gerrard, the meeting adjourned at 8:52 pm.

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CHAIR

I hereby certify these Minutes are accurate

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MUNICIPAL CLERK