

DISTRICT OF SAANICH  
MINUTES OF THE COUNCIL MEETING  
HELD IN THE COUNCIL CHAMBERS  
SAANICH MUNICIPAL HALL, 770 VERNON AVENUE  
**MONDAY, MARCH 7, 2016**

Present:           **Chair:**       Mayor Atwell  
                      **Council:**   Councillors Brice, Brownoff, Derman, Haynes (7:00 p.m.), Murdock, Plant, Sanders and Wergeland (7:00 p.m.)  
                      **Staff:**       Paul Thorkelsson, Chief Administrative Officer; Valla Tinney, Director of Finance; Harley Machielse, Director of Engineering (7:00 p.m.); Jarret Matanowitsch, Manager of Current Planning (7:00 p.m.); Donna Dupas, Legislative Manager; and Lynn Merry, Senior Committee Clerk (7:00 p.m.)

Mayor Atwell called the regular Council meeting to order at 6:00 pm in Committee Room No. 2.

In Camera Motion   **MOVED by Councillor Brownoff and Seconded by Councillor Derman:**  
                          **“That pursuant to Sections 90 (1) (a) and (i) of the *Community Charter*, the following meeting be closed to the public as the subject matters being considered relate to:**  
                          - **Personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality; and**  
                          - **The receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.”**

**CARRIED**

Adjournment       On a motion from Councillor Murdock, the meeting adjourned to In Camera at 6:01 pm.

**The regular Council meeting reconvened in Council Chambers at 7:00 pm.**

Minutes           **ADOPTION OF MINUTES**

**MOVED by Councillor Brownoff and Seconded by Councillor Wergeland:**  
**“That Council adopt the minutes of the February 22, 2016 Council and the February 23, 2016 Special Council and Special Committee of the Whole meetings.”**

**CARRIED**

**PUBLIC INPUT ON COUNCIL AGENDA ITEMS**

Public Input on  
Council Agenda  
Items

J. Schmuck, Chair, Saanich Community Association Network (SCAN):  
Feedback on Consultation on the Financial Plan:

1030-30  
Public  
Consultation on  
Financial Plan

- SCAN had been asked to provide input on how public feedback could be incorporated into the Financial Planning process; historically, a limited number of residents attend Financial Plan meetings.
- It may be valuable to design a workshop for residents in relation to the Financial Planning process.

**RESOLUTIONS FOR ADOPTION**

1410-04  
Report –  
Engineering

xref: 5370-30  
Tender 06/16

**TENDER 06/16 – GORDON HEAD RECREATION CENTRE HEATING UPGRADE**

Report from the Director of Engineering dated February 29, 2016 recommending that Council award Tender 06/16 for Gordon Head Recreation Centre heating upgrade and recommissioning, and change orders within the project budget, to Apex Steel and Gas Ltd., in the amount of \$1,311,685 (excluding GST).

**MOVED by Councillor Derman and Seconded by Councillor Brownoff: “That Tender 06/16 for Gordon Head Recreation Centre heating upgrade and recommissioning, and change orders within the project budget, be awarded to Apex Steel and Gas Ltd., in the amount of \$1,311,685 (excluding GST).”**

**CARRIED**

Councillor Murdock stated:

- Staff are to be congratulated for providing additional information regarding funding and for exploring opportunities for grants.

1300-20  
UBCM  
Membership Dues

**UNION OF BC MUNICIPALITIES 2016 MEMBERSHIP DUES**

Invoice from the Union of BC Municipalities requesting payment of annual membership dues in the amount of \$18,956.

**MOVED by Councillor Brice and Seconded by Councillor Derman: “That Council authorize the payment to the Union of BC Municipalities for 2016 annual membership dues in the amount of \$18,956.”**

**CARRIED**

**RECOMMENDATIONS FROM COMMITTEES**

1030-20  
Utility Billing  
Restitution Policy

**UTILITY BILLING RESTITUTION POLICY**

Recommendation from the February 4, 2016 Finance, Audit and Personnel Standing Committee meeting that Council approve the Utility Billing Restitution Policy as outlined in the Utility Payment Restitution Policy report from the Director of Finance dated January 26, 2016.

**MOVED by Councillor Haynes and Seconded by Councillor Brice: “That Council approve the Utility Billing Restitution Policy as outlined in the report from the Director of Finance dated January 26, 2016, to allow staff to adjust water utility overbilling and/or underbilling under the following conditions:**

- a. Where it is conclusively determined that a customer’s account has been overbilled in error, the Saanich Utility Billing Section will refund the overage retroactively up to a maximum of 15 billing cycles (five years) from the billing date for all property types.**
- b. Where it is conclusively determined a customer’s account has been underbilled in error, the Saanich Utility Billing Section will retroactively charge for the underbilling for the current and previous two utility bills.**

**c. Utility restitution will apply to water utility accounts and consumption or billing for sewer related charges.”**

Councillor Haynes stated:

- He thanked staff for preparing a policy that outlines the process for residents to address overbilling.

**The Motion was then Put and CARRIED**

1030-30

Water Utility Leak Adjustments

**WATER UTILITY LEAK ADJUSTMENTS**

Recommendation from the February 4, 2016 Finance, Audit and Personnel Standing Committee meeting that Council approve the proposed amendment to the Water Utility Leak Adjustments Policy as outlined in the report from the Director of Finance dated January 26, 2016.

**MOVED by Councillor Derman and Seconded by Councillor Haynes: “That Council approve the proposed amendment to the Water Utility Leak Adjustments Policy to delegate authority to the Director of Finance to approve leak adjustments to another local government regardless of the leak location(s) provided that the owner has met the requirements to repair the leak(s) as outlined in the Amended Leak Adjustment Policy report from the Director of Finance dated January 26, 2016.”**

Councillor Haynes stated:

- He thanked staff for preparing a policy that outlines the process in dealing with leak adjustments within the region.

**The Motion was then Put and CARRIED**

1030-30

Public Consultation on Financial Plan

**FEEDBACK ON CONSULTATION ON THE FINANCIAL PLAN**

Recommendation from the February 4, 2016 Finance, Audit and Personnel Standing Committee meeting that Council convene a Special Meeting of Council for the purpose of discussing how to advance Public Consultation on the Financial Plan.

In response to questions from Council, Mayor Atwell, stated:

- The intent of the recommendation was to call a Special Council meeting that would include public input.

Councillor Derman stated:

- A workshop that would allow residents to have an open dialogue rather than in a presentation format at a Council meeting may be preferable.

Councillor Haynes stated:

- A workshop may assist Council in clarifying how to move forward with identifying opportunities for public consultation.

**MOVED by Councillor Derman and Seconded by Councillor Haynes: “That Council convene a Special Meeting of Council for the purpose of discussing how to advance Public Consultation on the Financial Plan.”**

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

- Timelines outlined in the original report cannot be met because of two factors; the 2016 budget process is in progress and the JD Edwards upgrade is underway therefore staff availability will be limited in 2016.

Councillor Haynes stated:

- Public awareness of the financial planning tools and process is important; it is also important to start public consultation early in the budget process.
- A workshop may assist Council in setting a clear direction on how to proceed.

Councillor Derman stated:

- It is important to determine how to provide the public with education and information about what is involved in the budget process and have a process that will allow consultative input before decisions are made.

**The Motion was then Put and CARRIED**

## REPORTS FROM MEMBERS OF COUNCIL

1410-04

Report – Council

xref: 1300-60

Federal Ban on  
Microbeads

### **MUNICIPAL SUPPORT FOR FEDERAL BAN ON MICROBEADS**

Report from Councillors Haynes and Murdock dated February 22, 2016 recommending that Council support the proposed federal ban on microbeads, that letters of support be sent to the appropriate Ministers, and that a letter be sent to the Capital Regional District requesting their support in time for the public input period ending March 10, 2016.

**MOVED by Councillor Haynes and Seconded by Councillor Murdock:**  
**“That:**

- 1. Council support the Government of Canada proposal to add microbeads to the List of Toxic Substances under subsection 64(a) of the *Canadian Environmental Protection Act (CEPA)*, 1999;**
- 2. Letters be sent to the appropriate Ministers; and**
- 3. A letter be sent to the Capital Regional District requesting their support for the Federal Government in time for the public input period ending March 10, 2016.”**

Councillor Haynes stated:

- It is appropriate that the Federal Government is providing the opportunity for public input.
- Microbeads are manufactured in personal care products and some are too small to be caught by wastewater treatment facilities when they are rinsed down the drain; instead they flush into the aquatic environment.
- Adding microbeads to List of Toxic Substances would provide source control.

Councillor Murdock stated:

- Microbeads are prevalent in the market; the United States has banned the use of microplastics effective 2017.
- The amount of bio-accumulation through the food chain is astonishing; banning the use of microbeads will assist with decreasing the amount of microplastics in the environment.

Councillor Brownoff stated:

- The number of domestic substances included on the List of Toxic Substances is a concern; the proposed regulations will forbid the manufacturing and importing of personal care products containing microbeads by the end of 2017 and a ban on the sale of these products by the end of 2018.
- The Capital Regional District (CRD) has been looking at microbeads for a number of years as a substance to be removed during wastewater treatment; the CRD is involved in a collaborative research project with the Vancouver Island University and the University of Victoria; samples have recently been collected of wastewater, sediment and Cloverpoint mussels for microplastic analysis; the results will reveal the composition and quantity of microplastics that are at the Cloverpoint Outfall.
- Personal care products should be evaluated with the lens of the requirement of secondary wastewater treatment; if the chemicals in a product cannot be cleaned up before it proceeds into the water environment then the producer needs to change the design of the product.

Councillor Brice stated:

- It is concerning that the public is being subjected to ingredients in products without being aware of how they are affecting their bodies and the environment.

Councillor Derman stated:

- The use of microbeads is one symptom of the degradation of the planet; there is the need to change from the perception of “what’s good for me” to “what’s good for the world”.

Councillor Wergeland stated:

- The public is mostly unaware of the ingredients in the products they use and consume; he supports the motion.

Councillor Haynes stated:

- In some cases it may be appropriate to use microbeads, such as in industrial use, where they will not progress into the aquatic environment.

Mayor Atwell stated:

- Microfibres need to be caught either at the source or through a physical process before they feed into our aquatic environment; technology and regulations are often not up-to-date with current environmental concerns.

**The Motion was then Put and CARRIED**

Adjournment

On a motion from Councillor Brice, the meeting adjourned at 7:33 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, MARCH 7, 2016 AT 7:35 PM**

Present: **Chair:** Councillor Wergeland  
**Council:** Mayor Atwell, Councillors Brice, Brownoff, Derman, Haynes, Murdock, Plant, and Sanders  
**Staff:** Paul Thorkelsson, Chief Administrative Officer; Harley Machielse, Director of Engineering; Jarret Matanowitsch, Manager of Current Planning; Donna Dupas, Legislative Manager; and Lynn Merry, Senior Committee Clerk

2860-20  
Quadra Street

**3934 QUADRA STREET – DEVELOPMENT PERMIT AMENDMENT**

Supplemental Report of the Director of Planning dated February 3, 2016 recommending that Council approve Development Permit Amendment DPA00822 for proposed changes to the building entrance and construction of exterior structures for a self-storage facility with variances requested for landscaping, parking and the manoeuvring aisle.

**APPLICANT:**

- J. Milne, Prostorage Services, presented to Council and highlighted:
- He has met with neighbours to discuss their concerns; some feedback was received that is not a part of this application.
  - Slegg Building Materials representatives attended the meetings with neighbours and have made efforts to mitigate concerns; they have instigated a Good Neighbour policy to be used for evaluating staff performance, changed their hours of operation and have committed to purchasing electric forklifts and equipment to minimize the sound of back up beepers.
  - The new entrance fronting Quadra Street, constructed with shipping containers, is no longer proposed; the side yard setback has also been removed from the application and additional landscaping will be added to provide a buffer for neighbours.
  - The neighbours have expressed concern with the gate to the property from Hulford Street; “do not enter” signs, a stop line, stop sign and speed bumps have been installed to mitigate traffic and speeding concerns.
  - The Hulford Street access is now “exit only” from the property; Slegg is committed to informing their customers not to use the Hulford Street access.
  - Cedar fencing will be installed on the south west property line to help mitigate the visual impact to neighbours; irrigation and a 12 foot hedge will also be installed.
  - The Eelsey Lane Strata Corporation is in support of the application; it is the applicant’s intent to convert the entire property, over time, into self-storage.

**PUBLIC INPUT:**

J. Schmuck, President, Quadra Cedar Hill Community Association, stated:

- Consultation took place with the Community Association; the Association does not support the false overhead doors proposed for the north elevation on aesthetic grounds; they interpret the proposed doors as signage and contend it would not meet the Sign Bylaw.
- The parking stalls available through the parking agreement with the adjacent property are not available in the evening; it would be preferable to see a comprehensive development of the site.
- A "Good Neighbour Protocol" was drafted collaboratively by the neighbours and the Association and sent to the applicant for their consideration; the protocol included suggestions such as decreased hours of operation, restricted hours on weekends, access to the property restricted to Quadra Street, noise mitigation and maintenance of the property.

A. Beck, James Height, stated:

- There is concern that the applicant will not commit to the "Good Neighbour Protocol"; the applicant has stated they cannot commit on behalf of their tenants.
- Other concerns include the false overhead doors proposed for the north elevation, the calculation for the parking requirements in relation to the increase in the gross floor area, and the potential of the entire space being considered a retail sales area under the Zoning Bylaw.

M. Goodwin, Elsey Lane, stated:

- The applicant has committed to installing a sliding gate at the Hulford Street entrance to alleviate visibility concerns.

L. Ross, Greenridge Crescent, stated:

- Although local business is supported, the permitted use on the property impacts the health and security of neighbours; bylaw infractions have been observed on the property.
- The residents advocate for a more proactive approach to the concerns identified, such as hiring security to police the building after hours and reducing the hours of operation.

B. Silvester, Hulford Street, stated:

- The applicant has made revisions to the application which addresses neighbours' concerns; the addition of an opaque fence and landscaping at the south west property line are appreciated.
- According to the Zoning Bylaw, where any required landscaping abuts an area devoted to the circulation or parking of vehicles, concrete curbs are required; currently there are no curbs.

D. Juniper, Hulford Street, stated:

- Drivers are ignoring the "do not enter" signs and the speed bumps; using the Quadra Street access is preferable.

R. Harmston, Hulford Street, stated:

- The community is upset because of the persistent disregard of the bylaws of the municipality and the disrespect to the neighbours.
- Approving the application increases profitability of the business at the expense of the neighbours.

M. Reimer, Hulford Street, stated:

- It is dangerous to bicycle on Hulford Street in the morning because of the traffic to the property.

**APPLICANT'S RESPONSE:**

- Some concerns of neighbours do not pertain to the application.
- A sliding motorized gate will be installed at the access to the property from Hulford Avenue; the gate will not open when traffic approaches from Hulford; it is "exit only" from the property.
- Customers will be given access codes for the property and access can be denied if a customer abuses the privilege; security cameras have been installed inside the building and will be installed for the exterior of the property.
- Self-storage facilities typically do not have high traffic volume to the site.
- The parking variance is being requested based on the new gross floor area.

In response to questions from Council, the applicant stated:

- Slegg has the legal right to use the Hulford Street access.
- 24 hour access was recommended by industry experts; providing the access is an important advertising tool.
- There will be no onsite security personnel after hours; access to the property can only be made with an access code.
- Security cameras record via a DVR recording system with three month storage capacity.
- Themis Security provides drive-by patrol checks.
- The interior security cameras have been installed but he would be open to considering external security cameras that will pick up audio as well as video.
- Slegg has the option to terminate their lease in September 2017, meaning they would vacate by end of February 2018; should they not execute their option to terminate, the lease carries on until 2021.
- Slegg has ordered two electric forklifts; the Quadra location will be given priority to receive the electric forklifts.

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

- The Sign Bylaw is generic; the false overhead doors are considered architectural features that draw attention and interest to the building; they also break up a long, massive blank wall.
- Concrete curbs will be provided in the parking area and will be secured through the requirements of the Zoning Bylaw.
- The parking variance may still be in effect if the business changes.

**Motion:**

**MOVED by Councillor Derman and Seconded by Councillor Murdock: "That Council postpone further consideration of the Development Permit Amendment on 3934 Quadra Street to allow staff to confirm:**

1. if the parking variance would be secured to the specific use of the property or to the Development Permit Amendment;
2. if the hours of operation on the property could be limited through a restrictive covenant; and
3. if the hours of operation of access through the gate on Hulford Street could be limited through a restrictive covenant."



Councillor Brice stated:

- The consultation with neighbours was appreciated; the applicant addressed the concerns of neighbours.
- Postponement will allow staff to provide more information which may alleviate other concerns.

Councillor Brownoff stated:

- The applicant has worked with neighbours which resulted in the variances being adjusted and additional landscaping; more information is needed to address the questions outlined in the motion.

In response to a question from Council, the Legislative Manager stated that there would be an opportunity for public input when the item returns to Council but Council could suspend the rules of the Council Procedure Bylaw by motion to not engage in public input when Council reconvenes on this matter.

Councillor Sanders stated:

- This is an old, stable neighbourhood; change may be difficult.
- Further clarification may alleviate concerns.

Councillor Haynes stated:

- Some of the concerns involve the tenant which may be difficult to manage; postponement may give further clarification.

Councillor Derman stated:

- Progress on the application has been made through consultation with neighbours; staff can provide further clarification for the best possible solution.

**The Motion was then Put and CARRIED**

Adjournment      On a motion from Councillor Derman, the meeting adjourned at 8:53 pm.

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CHAIR

I hereby certify these Minutes are accurate

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MUNICIPAL CLERK