

DISTRICT OF SAANICH
MINUTES OF THE COUNCIL MEETING
HELD IN THE COUNCIL CHAMBERS
SAANICH MUNICIPAL HALL, 770 VERNON AVENUE
MONDAY, APRIL 18, 2016 AT 7:00 P.M.

Present: **Chair:** Mayor Atwell
Council: Councillors Brice, Brownoff, Derman, Haynes, Murdock, Plant, Sanders and Wergeland
Staff: Carrie MacPhee, Acting Chief Administrative Officer; Sharon Hvozanski, 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 Brownoff: “That Council adopt the minutes of April 11, 2016 Council meeting and the April 12, 2016 Special Committee of the Whole meeting.”

CARRIED

BYLAWS FOR FINAL READING

2870-30
Agnes Street

593 AGNES STREET – REZONING TO RD-1

Final Reading of “Zoning Bylaw, 2003, Amendment Bylaw, 2015, No. 9359” and approval of Development Permit DPR00600. To rezone from RS-6 (Single Family Dwelling) zone to RD-1 (Two Family Dwelling) zone for a proposed addition to the existing single family dwelling to allow for a duplex.

MOVED by Councillor Derman and Seconded by Councillor Haynes: “That Bylaw No. 9359 be adopted by Council and the Seal of the Corporation be attached thereto.”

CARRIED

MOVED by Councillor Derman and Seconded by Councillor Wergeland: “That Council approve and issue Development Permit DPR00600 on Lot 10, Section 50, Victoria District, Plan 11604 (593 Agnes Street).”

CARRIED

2870-30
Cordova Bay
Road

4655 CORDOVA BAY ROAD – REZONING TO RS-12

Final Reading of “Zoning Bylaw, 2003, Amendment Bylaw, 2016, No. 9370” and approval of Development Variance Permit DVP00344. To rezone from RS-18 (Single Family Dwelling) zone to RS-12 (Single Family Dwelling) zone for the proposed creation of 8 bare land strata lots.

MOVED by Councillor Wergeland and Seconded by Councillor Brice: “That Bylaw No. 9370 be adopted by Council and the Seal of the Corporation be attached thereto.”

**CARRIED
with Councillor Derman OPPOSED**

MOVED by Councillor Wergeland and Seconded by Councillor Brice: “That Council approve and issue Development Variance Permit DVP00344 on Lot A, Sections 24 and 25, Lake District, Plan EPP59709 (formerly described as Amended Parcel A (DD 275888I) of Sections 24 and 25, Lake District) (4655 Cordova Bay Road).”

**CARRIED
with Councillor Derman OPPOSED**

PUBLIC INPUT ON COUNCIL AGENDA ITEMS

Public Input on
Council Agenda
Items

Nil

BYLAW FOR THREE READINGS

2870-30
Cordova Bay
Road

4655 CORDOVA BAY ROAD – SEWER SERVICE AREA INCLUSION

Three Readings of the “Sanitary Sewer Bylaw, 2006, Amendment Bylaw, 2016, No. 9371”. To extend the sewer service area to include the property at 4655 Cordova Bay Road.

xref: 6840-20
Sanitary Sewer
Area

MOVED by Councillor Brice and Seconded by Councillor Haynes: “That Bylaw No. 9371 be introduced and read.”

CARRIED

MOVED by Councillor Brice and Seconded by Councillor Haynes: “That Bylaw No. 9371 be read a second time.”

CARRIED

MOVED by Councillor Brice and Seconded by Councillor Haynes: “That Bylaw No. 9371 be now passed.”

CARRIED

RESOLUTIONS FOR ADOPTION

1410-04
Report – Fire

UNIVERSITY OF VICTORIA CONFINED SPACE RESCUE SERVICE AGREEMENT

xref: 1050-20
Confined Space
Rescue Service
Agreement

Report of the Fire Chief dated April 1, 2016 recommending that Council authorize the renewal of the Confined Space Rescue Service Agreement between the District of Saanich and the District of Oak Bay with the University of Victoria for the joint provision of confined space rescue services to the University of Victoria for the period September 1, 2016 to August 31, 2021.

MOVED by Councillor Derman and Seconded by Councillor Brownoff: “That Council authorize the renewal of the Confined Space Rescue Service Agreement between the District of Saanich and the District of Oak Bay with the University of Victoria for the provision of confined space rescue services from September 1, 2016 to August 31, 2021.”

The Fire Chief stated:

- The current agreement has been in place since 2011; no responses have taken place over the past five years.
- The University of Victoria has given fire departments access to the campus to conduct on-site joint training sessions.

In response to questions from Council, the Fire Chief stated:

- The administration of the contract is minimal therefore the \$5,000 administration fee would be sufficient to cover increases from contract negotiations.

The Motion was then Put and CARRIED

1410-04
Report – Fire

xref: 1050-20
Regional Tower
Crane Rescue
Services
Agreement

REGIONAL TOWER CRANE RESCUE SERVICES AGREEMENT

Report of the Fire Chief dated April 1, 2016 recommending that Council authorize the renewal of the Tower Crane Rescue Services Agreement between the District of Saanich and City of Victoria with the municipalities of Colwood, Esquimalt, Oak Bay, Sidney and View Royal for the period May 1, 2016 to April 30, 2021.

MOVED by Councillor Haynes and Seconded by Councillor Brownoff: “That Council authorize the renewal of the Tower Crane Rescue Services Agreement between the District of Saanich and the City of Victoria with the municipalities of Colwood, Esquimalt, Oak Bay, Sidney and View Royal from May 1, 2016 to April 30, 2021.”

The Fire Chief stated:

- Tower cranes are erected on large construction sites for multi-storey buildings; the BC Construction Safety Alliance, in partnership with WorkSafe BC, have an agreement with Fire Services to provide rescue services across the province.
- Over the term of the last agreement, one rescue took place in the region.

Councillor Brownoff stated:

- Smaller municipalities benefit from integrated service agreements.

Councillor Haynes stated:

- There is value in having integrated services.

The Motion was then Put and CARRIED

1300-20
Victoria Regional
Transit
Commission

VICTORIA REGIONAL TRANSIT COMMISSION – REQUEST FOR FUEL TAX INCREASE

Letter from the Victoria Regional Transit Commission dated March 10, 2016 that Council endorse the Transit Commission’s request to increase the dedicated fuel tax applied in the region under the *BC Transit Act* by two cents per litre to support transit system development in the Capital Region.

MOVED by Councillor Brice and Seconded by Councillor Brownoff: “That Council endorse the Victoria Regional Transit Commission’s request to increase the dedicated fuel tax applied in the region under the *BC Transit Act* by two cents per litre to support transit system development in the Capital Region.”

Councillor Derman stated:

- There has been a commitment in the region to try to shift the use of single occupant vehicles to the use of public transit, cycling or walking; providing the best possible services would entice residents to use alternative modes of transportation.
- Funds are needed locally to assist with providing the best level of service.

Councillor Brownoff stated:

- Increased funding for transit has typically come from advertising, increased ridership, an increase in property taxes and an increase in the dedicated fuel tax; in the past, residents have supported an increase in the dedicated fuel tax for improvements to transit in the region.
- It is the best option for funding improvements to the transit system.

Councillor Murdock stated:

- It is challenging to raise revenue to fund transit; improvements to transit services and infrastructure will benefit riders and may alleviate traffic congestion in the future.
- Improvements to services and infrastructure may be an incentive to increase ridership.

Councillor Haynes stated:

- It is appropriate to try to shift the use of single occupant vehicles to public transit; improvements to the quality of service may increase ridership.

Councillor Brice stated:

- The funds from the increase in dedicated fuel tax would be used for improvements within the region.
- Vancouver has a different formula to determine the allocation of the fuel tax and cannot be compared to Victoria.

Councillor Plant stated:

- An increase in fuel tax is supportable.

Councillor Wergeland stated:

- An increase in fuel tax will result in improvements to the transit system.

Councillor Brice stated:

- The Capital Regional District (CRD) unanimously supports the motion.
- Funding for transit improvements is needed.

Councillor Derman stated:

- It should be noted that no members of the public came forward tonight to speak in opposition of this motion.

The Motion was then Put and CARRIED

RECOMMENDATIONS FROM COMMITTEES

1410-04
Report –
Recreation

xref: 1090-20
Arts, Culture &
Heritage Awards

SAANICH ARTS, CULTURE AND HERITAGE AWARDS PROGRAM

Report of the Senior Manager of Recreation dated April 12, 2016 recommending that Council approve the proposed Arts, Culture and Heritage Awards Program.

MOVED by Councillor Sanders and Seconded by Councillor Haynes: “That Council approve the proposed Arts, Culture and Heritage Awards Program as outlined in the report of the Senior Manager of Recreation dated April 12, 2016.”

Councillor Sanders stated:

- The concept for Arts, Culture and Heritage awards first came forward in 2012; the program has been modelled after the successful Environmental Awards program.
- Five award categories have been proposed and would recognize residents who contribute to culture in the municipality.
- Awards would be presented at least once per 4-year Council term; the budget for the awards is estimated at \$2,000 per year.

Councillor Derman stated:

- Recognition of those who contribute to the arts and to the community is appreciated.

In response to questions from Council, Councillor Sanders stated:

- The “Unsung Hero” award would recognize individuals who work behind the scenes; an award could be presented to a group or several individuals.

Councillor Plant stated:

- Clarification on the “unsung hero” category would be helpful.
- He is supportive of the proposed awards program.

The Motion was then Put and CARRIED

Adjournment

On a motion from Councillor Brownoff, the meeting adjourned at 7:32 pm.

The meeting reconvened at 9:08 pm.

RECOMMENDATIONS

From the Committee of the Whole Meeting held April 18, 2016

1110-30
Animals Bylaw

CONSIDERATION OF ALLOWING MINIATURE GOATS ON URBAN RESIDENTIAL LOTS

MOVED by Councillor Wergeland and Seconded by Councillor Murdock: “That Council approve:

1. a pilot project, for a minimum of 18 months, allowing miniature goats to be kept on up to ten (10) single family zoned urban residential lots

in accordance with the basic conditions for the pilot project as outlined in report of the Director of Planning dated April 7, 2016; and the pilot project condition be amended to require participants obtain written approval of all neighbours within 50 metres of the subject property.

- 2. a broader public engagement process be undertaken following the end of the pilot project.”

CARRIED

Adjournment On a motion from Councillor Brice, the meeting adjourned at 9:09 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, APRIL 18, 2016 AT 7:33 P.M.

Present: **Chair:** Councillor Derman
Council: Mayor Atwell and Councillors Brice, Brownoff, Haynes, Murdock, Plant, Sanders and Wergeland
Staff: Carrie MacPhee, Acting Chief Administrative Officer; Sharon Hvozanski, Director of Planning; Donna Dupas, Legislative Manager; and Lynn Merry, Senior Committee Clerk

1410-04
Report –
Planning

xref: 1110-30
Animals Bylaw

CONSIDERATION OF ALLOWING MINIATURE GOATS ON URBAN RESIDENTIAL LOTS

Report of the Director of Planning dated April 7, 2016 recommending that Council proceed with Option 3 (community engagement and a pilot project) as outlined in the report.

- In response to questions from Council, the Director of Planning stated:
- Some work priorities that may have to be shifted to account for this new work include work on heritage or public art or the review of a local area plan.
 - It may be possible to create a site specific zone to allow the goats from the pilot project to stay on the properties.
 - Goats can be kept as pets or can be used as a farm animal; breeding would not be allowed to take place on an urban property; females would be taken offsite to be bred.

- Concerns of animal welfare would be reported to Saanich Bylaw and then referred to an appropriate organization.
- Adjacent neighbours within 100 metres would have to provide written approval to allow a property owner to keep goats; 100 metres takes into account noise and odour.
- Properties in the EDPA are not being considered as part of the pilot project; consultation would include owners of properties in the EDPA.
- It may be possible to cordon off an area on a property that is within the EDPA so that the owner could keep goats if they wish.
- Staff costs for the Backyard Urban Chicken Study was approximately \$2,000; if Council hired a consultant, costs would be significantly more.
- A survey of neighbours could be embedded into the pilot project process at the 12 and 18 month timeline.
- Feedback from the broader community would be considered when drafting the bylaw; the bylaw would apply across Saanich and would not limit where goats could occur therefore feedback should be sought from the broader community.
- Having a pilot project and a consultation process run in parallel would result in a more fulsome discussion.

PUBLIC INPUT:

J. McCue, Penshurst Drive, stated:

- The 100 metre requirement may be excessive; she would keep goats as pets and to help keep grass and invasive species under control.

A. Rawes, on behalf of the Residents Association of Strawberry Vale, Marigold and Glanford, stated:

- Option 4 to defer the issue to 2017 should be considered; it is a low priority and the Association is unconvinced as to its' contribution to food security.
- There are concerns about the potential for increased noise and odour and that unpasteurized goats milk could lead to disease; goats are excellent escape artists and are fond of ornamental plantings; there is the potential for significant damage to neighbours' gardens should a goat get loose.
- Staff resources could be better spent on higher priority items that will have a greater impact on a larger number of Saanich residents.

COUNCIL DELIBERATIONS:

In response to questions, the Director of Planning stated:

- 100 metres was chosen because in comparison to chickens, goats can be noisier and there could be a greater impact to neighbours.
- 100 metres is approximately 6-7 lots on either side of the subject property; 50 metres is approximately 3-4 lots on either side of the subject property.
- A cost estimate to hire a consultant for consultation and facilitating Open Houses would be approximately \$20,000 to \$30,000.
- One other member of the public has advised that they would be interested in having goats.
- Running the pilot project and receiving feedback only from immediate neighbours effects the validity of the information received; having a parallel process would mean an overlap of information gained from each process.
- Sometimes residents are uncomfortable providing feedback that could affect their neighbour.

Councillor Murdock stated:

- He thanks Ms. McCue for her efforts to bring the issue forward; it may be appropriate to have the pilot project move forward now and get broader feedback in 12 to 18 months.
- A pilot project is an opportunity to determine the impacts on neighbours.

Motion:

**MOVED by Councillor Murdock and Seconded by Councillor Wergeland:
“That it be recommended that Council approve:**

- 1. a pilot project, for a minimum of 18 months, allowing miniature goats to be kept on up to ten (10) single family zoned urban residential lots in accordance with the basic conditions for the pilot project as outlined in report of the Director of Planning dated April 7, 2016; and**
- 2. that a broader public engagement process be undertaken following the end of the pilot project.”**

Mayor Atwell stated:

- A pilot project would help to determine the impact on neighbours and the benefits; the success will be determined by the participants in the pilot project.

Councillor Haynes stated:

- Deferring the public engagement process to the end of the project may alleviate concerns for staff resources and the deferral of other priorities; it will be beneficial to have Saanich data.

Councillor Wergeland stated:

- Food and manure may attract rodents; he supports the item being brought forward in 2017 for consideration.

In response to questions, the Director of Planning stated:

- Further clarification on the distance for written approval of neighbours, the length of the pilot and what happens to the goats after the pilot project is needed; further direction would be needed if Council considers site specific zoning to keep goats on the properties that participate in the pilot project.
- Goats would be permitted on the properties for a minimum of 18 months.

Councillor Sanders stated:

- She is concerned as to which work priorities would be deferred while staff work on this item.

Councillor Brownoff stated:

- Keeping goats for farming/learning experience would be appropriate.
- Getting written approval of neighbours within 100 metres is appropriate.
- Other initiatives may be deferred to allow staff to work on this initiative; a pilot project is an opportunity to recognize the farming aspect of goats.

Councillor Brice stated:

- The temperament of the goats may be the deciding factor in the success of the pilot project; there may not be a lot of interest in keeping goats; it is a big time commitment and could be a lot of work.

Mayor Atwell stated:

- It is important to be nimble; a pilot project may show how beneficial goats are to the community.

In response to questions, the Director of Planning stated:

- She recommends the goats be allowed to stay on the property until the end of the consultation process.
- It may be possible that no one participates in the pilot project because of the need for the approval of neighbours within 100 metres.

MOVED by Councillor Plant and Seconded by Mayor Atwell: “That the pilot project condition to require participants obtain written approval of all neighbours within 100 metres of the subject property be amended to 50 metres.”

**The Amendment to the Motion was CARRIED
with Councillors Brownoff and Sanders OPPOSED**

The Main Motion, as Amended, was then Put and CARRIED

Motion as Amended:

“That it be recommended that Council approve:

1. a pilot project, for a minimum of 18 months, allowing miniature goats to be kept on up to ten (10) single family zoned urban residential lots in accordance with the basic conditions for the pilot project as outlined in report of the Director of Planning dated April 7, 2016; and the pilot project condition be amended to require participants obtain written approval of all neighbours within 50 metres of the subject property.
2. a broader public engagement process be undertaken following the end of the pilot project.”

1410-04
Report –
Planning

xref: 1110-30
Zoning Bylaw

CONSIDERATION OF ZONING AMENDMENT TO PERMIT POCKET FARM MARKETS

Report of the Director of Planning dated April 12, 2016 recommending that Council amend Zoning Bylaw 8200 to include a new definition of “Pocket Farm Market”; and that Section 5.23 be amended to include “Pocket Farm Market Sales”.

PUBLIC INPUT:

S. Newby, Charlton Road, stated:

- There is a need for farm markets in Saanich; a pocket farm market is being considered for Reynolds Secondary School to be held every Sunday in July and August.
- Seven Community Associations have stated they support pocket farm markets.

M. Henderson, Goyette Road, stated:

- Pocket farm markets promote micro businesses, creates strong communities and draws residents to existing businesses in the area; food and value added food products will be the focus.
- Food trucks could utilize local produce and meat; crafts could be local and artisan focused.
- There is strong support from Community Associations and neighbouring residents for pocket farm markets; a concern was received in relation to parking at Reynolds School but that has been addressed.

- Not-for-profit initiatives and Saanich programs could be highlighted.

J. Schmuck, on behalf of Saanich Community Association Network (SCAN), stated:

- The Quadra Cedar Hill Community Association is pleased that a pocket farm market is being considered in their neighbourhood.
- The concept supports a broad range of Official Community Plan (OCP) policies; Reynolds School is an appropriate location for a pocket farm market and adequate parking is available.

A. Rawes, on behalf of the Residents Association of Strawberry Vale, Marigold and Glanford, stated:

- The Residents Association supports the creation of pocket farm markets in an effort to bring locally grown product and producers closer to urban customers; in order to retain the focus as a farmer’s market, there should not be more than two food trucks at any one market.
- The Association does not support the sale of handicrafts; that would change the focus from being a farmer’s market to being a market.

H. Charania, on behalf of the Quadra Cedar Hill Community Association, stated:

- The Community Association supports the inclusion of handicrafts, flea market products, and food trucks or carts; music and children’s activities should not be prohibited as they will attract customers.

S. Menzies, on behalf of the Camosun Community Association, stated:

- The Community Association supports the bylaw amendment.

COUNCIL DELIBERATIONS:

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

- The sale of handicrafts is included in the definition in the proposed Zoning Bylaw Amendment.
- A supplemental report could include information on the sale of craft beer and wine products at pocket farm markets.

 Councillor Murdock left the meeting at 8:42 p.m.

Motion:

MOVED by Mayor Atwell and Seconded by Councillor Haynes: “That a Public Hearing be called to further consider amendments to Zoning Bylaw 8200 to include a new definition of “Pocket Farm Market” and to amend Section 5.23 to include “Pocket Farm Market Sales”.”

Mayor Atwell stated:

- A Public Hearing would allow for further discussion on what should and should not be sold at a farm market.

In response to a question from Council, the Legislative Manager stated:

- Once Council has had the opportunity to review a supplemental report, items could be incorporated into the Zoning Bylaw Amendment before the Public Hearing takes place; making changes to the permitted uses at a Public Hearing becomes problematic.

Councillor Murdock returned to the meeting at 8:45 p.m.

Councillor Haynes stated:

- Pocket markets could be a testing ground for local products and would benefit local producers; local sea salts and spices should be considered for inclusion in the definition for sale at markets.

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

- Pocket farm markets would be treated as businesses and a business licence would be required; the land owner would have to be a willing participant and enter into an agreement with the applicant to hold a market.
- Markets could be held year round, maximum two days a week.
- After a business licence application was received, staff would verify if the market would be held in the correct zone and that permission from the property owner was granted; there is no requirement for public notification through the Business Licence Bylaw.

Councillor Sanders stated:

- Food trucks, children's activities and music is not supportable when markets are held near residential areas; pocket farm markets should not be located in areas that may mean direct competition with other local businesses.
- Increased traffic is a concern; it is important to get feedback from neighbours when a pocket farm market may be held near a residential area.

Councillor Brownoff stated:

- A supplemental report should include how notification to neighbours could be included in the Zoning Bylaw Amendment when markets are held near residential areas; clarification is also needed in relation to wine and alcohol being sold at markets.
- This is a great opportunity for the community.

Councillor Murdock stated:

- The interest in what may be featured at a pocket farm market continues to change; the concerns in relation to the impact on residential areas should be addressed.

Councillor Brice stated:

- The variety of items that are offered at markets will ensure success; there needs to be an energy around markets to attract customers.
- The proposed bylaw amendment is broad enough to allow creativity.

Councillor Haynes stated:

- It is appropriate to exclude flea market items; handicrafts should be produced locally.
- Local grocery stores may be critics but pocket markets are specialized markets and should not have an impact on grocery stores.

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

- The property owner would be required to have insurance.
- A separate report would be prepared outlining the markets proposed for municipal lands and each would be approved on a case-by-case basis.

Councillor Derman stated:

- A supplemental report should include a map of potential sites for pocket markets; there may be concern with having markets every week at the same location.

The Acting Chief Administrative Officer stated:

- The *Local Government Act* states that at a Public Hearing, the use of land cannot be altered from what was included in the Zoning Bylaw Amendment; it may be appropriate that once staff has had the opportunity to prepare the supplemental report, that the item be brought forward again to Council for further discussion on the permitted uses before it goes to a Public Hearing.

The Motion was then Put and CARRIED

Adjournment On a motion from Councillor Brownoff, the meeting adjourned at 9:08 p.m.

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CHAIR

I hereby certify these Minutes are accurate

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MUNICIPAL CLERK