

DISTRICT OF SAANICH
MINUTES OF THE COUNCIL MEETING
HELD IN THE COUNCIL CHAMBERS
SAANICH MUNICIPAL HALL, 770 VERNON AVENUE
MONDAY, MAY 7, 2012 AT 7:30 PM

Present: **Chair:** Mayor Leonard
 Council: Councillors Brice, Brownoff, Derman, Gerrard, Murdock, Sanders, Wade and Wergeland
 Staff: Paul Murray, Acting Administrator; Colin Doyle, Director of Engineering; Sharon Hvozdzanski, Director of Planning; Carrie MacPhee, Director of Legislative Services; Donna Dupas, Legislative Manager; and Andrea Park, Senior Committee Clerk

Minutes **ADOPTION OF MINUTES**

MOVED by Councillor Gerrard and Seconded by Councillor Derman: “That Council adopt the minutes of the April 23, 2012 Council meeting and the Special Council meeting of April 24, 2012.”

CARRIED

BYLAWS

1110-30
Financial Plan
Bylaw

FINANCIAL PLAN BYLAW (2012-2016)

Three Readings of the “Financial Plan Bylaw, 2012, No. 9178”. To establish the five year Financial plan for 2012 – 2016. Report from the Director of Finance dated April 30, 2012.

MOVED by Councillor Derman and Seconded by Councillor Brownoff: “That Bylaw No. 9178 be introduced and read.”

CARRIED

MOVED by Councillor Derman and Seconded by Councillor Brownoff: “That Bylaw No. 9178 be read a second time.”

CARRIED

MOVED by Councillor Derman and Seconded by Councillor Brownoff: “That Bylaw No. 9178 be now passed.”

CARRIED

1110-30
Garbage
Collection and
Disposal Bylaw

GARBAGE COLLECTION AND DISPOSAL BYLAW AMENDMENT

Three Readings of the “Garbage Collection and Disposal Bylaw, 2005, Amendment Bylaw, 2012, No. 9179”. To increase the charge for extra receptacles and special pickups and delete Section 5.4 (Saturday refuse drop-off at the Public Works Yard). Report from the Director of Finance dated April 30, 2012.

MOVED by Councillor Wade and Seconded by Councillor Gerrard: “That Bylaw No. 9179 be introduced and read.”

CARRIED

MOVED by Councillor Wade and Seconded by Councillor Gerrard: “That Bylaw No. 9179 be read a second time.”

CARRIED

MOVED by Councillor Wade and Seconded by Councillor Gerrard: "That Bylaw No. 9179 be now passed."

CARRIED

1110-30
Tax Bylaw

TAX BYLAW

Three Readings of the "Tax Bylaw, 2012, No. 9180". To establish the tax rates for 2012. Report from the Director of Finance dated April 30, 2012.

MOVED by Councillor Wergeland and Seconded by Councillor Brice: "That Bylaw No. 9180 be introduced and read."

CARRIED

MOVED by Councillor Wergeland and Seconded by Councillor Brice: "That Bylaw No. 9180 be read a second time."

CARRIED

MOVED by Councillor Wergeland and Seconded by Councillor Brice: "That Bylaw No. 9180 be now passed."

CARRIED

1110-30
CRD Onsite
Sewage Systems
Service Parcel
Tax Bylaw

CAPITAL REGIONAL DISTRICT (CRD) ONSITE SEWAGE SYSTEMS SERVICE PARCEL TAX BYLAW AMENDMENT

Three Readings of the "CRD Onsite Sewage Systems Service Parcel Tax Bylaw, 2008, Amendment Bylaw, 2012, No. 9181". To establish the parcel tax rate for 2012. Report from the Director of Finance dated April 30, 2012.

MOVED by Councillor Derman and Seconded by Councillor Brice: "That Bylaw No. 9181 be introduced and read."

CARRIED

MOVED by Councillor Derman and Seconded by Councillor Brice: "That Bylaw No. 9181 be read a second time."

CARRIED

MOVED by Councillor Derman and Seconded by Councillor Brice: "That Bylaw No. 9181 be now passed."

CARRIED

2860-02
Development
Permit Area
Guidelines

OFFICIAL COMMUNITY PLAN BYLAW AMENDMENT – STREAMSIDE DEVELOPMENT PERMIT AREAS ATLAS

First Reading of the "Official Community Plan Bylaw, 2008, Amendment Bylaw, 2012, No. 9182". To amend Schedule 2 of Appendix "N" to improve the accuracy of the Streamside Development Permit Areas Atlas and consistency with Riparian Area Regulations.

MOVED by Councillor Wergeland and Seconded by Councillor Wade: "That Bylaw No. 9182 be introduced and read."

CARRIED

RESOLUTIONS FOR ADOPTION

5370-30
Sole Source
Request -
Pavement
Assessment

SOLE SOURCE REQUEST – PAVEMENT ASSESSMENT DATA COLLECTION AND MODELING

Report of the Director of Finance dated April 20, 2012 recommending Council award the contract for pavement assessment data collection and modeling to Opus International in the amount of \$99,760 plus HST.

MOVED by Councillor Brownoff and Seconded by Councillor Murdock:
“That Council award the contract for pavement assessment data collection and modeling to Opus International in the amount of \$99,760 plus HST.”

CARRIED

5370-30
Saanich
Commonwealth
Place Skylight

TENDER 08/12 – SAANICH COMMONWEALTH PLACE SKYLIGHT REPLACEMENT

Report of the Director of Finance dated May 2, 2012 recommending Council award Tender 08/12 for the Saanich Commonwealth Place skylight replacement to Farmer Construction Limited in the amount of \$637,701.

MOVED by Councillor Gerrard and Seconded by Councillor Sanders:
“That Tender 08/12 for the Saanich Commonwealth Place Skylight Replacement be awarded to Farmer Construction Limited in the amount of \$637,701.”

CARRIED

RECOMMENDATIONS FROM COMMITTEES

1300-20
UBCM - Oil
Tanker Traffic

ENVIRONMENTAL ADVISORY COMMITTEE – RESOLUTION TO UNION OF BRITISH COLUMBIA MUNICIPALITIES (UBCM) OIL TANKER TRAFFIC

Recommendation from the April 24, 2012 Environmental Advisory Committee meeting recommending Council endorse the resolution outlined to the Union of BC Municipalities regarding expansion of oil tanker traffic through BC's coastal waters.

Councillor Sanders stated:

- Tankers presently carry unrefined oil through BC coastal waters to the US and Asia; any increase in tanker traffic creates increased risk of an oil spill with potential long term impacts to the marine environment and human health.
- A recent presentation at the Association of Vancouver Island Coastal Communities (AVICC) conference confirmed that BC is ill-prepared to respond to an oil spill.
- The economic benefits of increased tanker traffic do not outweigh the risks to our natural environment and the economy that depends on it.
- Saanich's goal of a sustainable community with a healthy environment for current and future generations, would not be served by expansion of oil tanker traffic.

MOVED by Councillor Sanders and Seconded by Councillor Derman:
“That Council endorse the following resolution to the UBCM:
Whereas a crude oil spill would have devastating and long lasting effects on British Columbia’s unique and diverse coast, which provides critical marine habitat and marine resources that sustain the social, cultural, environmental and economic health of coastal and First Nations communities;
Whereas citizens of British Columbia, particularly those living in coastal communities, and First Nations communities and environmental groups have expressed well-founded concerns over the expansion of oil pipelines and oil tankers;
Therefore Be It Resolved that the UBCM be opposed to projects that would lead to the expansion of oil tanker traffic through B.C.’s coastal waters;
And Be It Further Resolved that the UBCM urge the Premier of British Columbia , the Leader of the Opposition and Members of the Legislative Assembly to use whatever legislative and administrative means that are available to stop the expansion of oil tanker traffic through B.C.’s coastal waters.”

Councillor Gerrard stated:

- A major oil spill in our waters would be an environmental and financial disaster.
- Representatives of smaller coastal and first nations communities fear the impact of such an event; future generations would be affected.

Councillor Derman stated:

- The Provincial authorities have stated that they do not have the capability to handle an oil spill and would be dependent on assistance from the USA.
- While the economic rewards of increased oil tanker traffic might benefit other provinces, all the risks would be borne by British Columbia; the consequences of a spill far outweigh any benefits elsewhere.

Councillor Brownoff stated:

- BC is not equipped to deal with an oil spill; the costs would be enormous.
- The risks to this province outweigh any economic benefit in other provinces resulting from the increased oil tanker traffic.
- We must protect the natural environment of the coast and its economy.

Councillor Murdock stated:

- The oil which may come from Alberta for shipping off our coast is a particularly toxic mixture of raw bitumen and a chemical carrier, which the United States Environmental Protection Agency has confirmed is ten times more costly and time-consuming to clean up.
- B.C.’s coastal communities are heavily dependent on tourism and would be significantly impacted should any of this product be spilled.

The Motion was then Put and CARRIED

5660-30
Community
Matching Grants

HEALTHY SAANICH ADVISORY COMMITTEE – 2012 COMMUNITY MATCHING GRANTS

Memorandum from the Healthy Saanich Advisory Committee dated April 25, 2012 further to their review of eight 2012 Community Matching Grant applications, as requested by Council.

Councillor Murdock stated:

- Although eight of the grant applications were referred back to the Grants Subcommittee for further review, the Healthy Saanich Advisory Committee concluded that the grants recommended met the current policy and no further consideration was necessary. The Committee, however, supports a full review of the matching grant policy to clarify its objectives.

MOTION: **MOVED by Councillor Sanders and Seconded by Councillor Brownoff: “That Council approve the 2012 Matching Grants in the amounts indicated to the following organizations:**

Organization	Grant
Friends of Beckwith Park	\$ 400
Friends of Mount Doug	1,800
Konuckson Park Weedcrackers	450
Haliburton Community Organic Farm	1,000”

Councillor Sanders stated:

- The grant applications from those groups pulling invasive plant species and restoring natural areas are necessary for the purchase of tools and she can support those grants.
- The Haliburton Community Organic Farm grant allows for the same funding as provided by Council over the past four years.

Councillor Brownoff stated:

- The reason community groups are also involved with the Pulling Together program is for insurance purposes; the Parks Department cannot supply all the equipment needed and supports the grant applications for tools.
- Council might look at whether groups may apply under all the grants programs in the same year.

Councillor Wergeland stated:

- There is not much innovation in these grant applications; perhaps a competition for grants with the winners fully-funded could be considered.

Councillor Derman stated:

- The Community Associations found the grant application process discouraging; most applications were only partially funded which meant projects could not be carried out.
- Many current applications resemble operating grants.
- He would prefer a return to the original objectives of the matching grant program.

Councillor Gerrard stated:

- A review of the policy is necessary.
- It is not appropriate at this time to separate out certain organizations from the rest.

Councillor Brice stated:

- The four recommended applicants fit the criteria; she can support the motion.

Councillor Wade stated:

- A review of the matching grant policy is needed.
- The amounts granted for similar projects vary considerably and it would be preferable to create a connectivity where resources could be shared in partnership.

**The Motion was then Put and CARRIED
Councillor Gerrard Opposed**

MOTION:

**MOVED by Councillor Sanders and Seconded by Councillor Brownoff:
“That the applications for 2012 Matching Grants from the following
organizations be rejected:**

Organization	Grant
Cadboro Bay Residents Association	\$500
Peninsula Streams Society	1,000
Shoreline Community School	1,000
World Fisheries Trust	1,000”

Councillor Sanders stated:

- The applications do not fit the project criteria, neither are they primarily in Saanich, nor do we see a 25% contribution from the community, as previously required.

Councillor Brownoff stated:

- The grant applications received this year point out the need for a review of the grant program; Council might consider where community festivals fit into the policy.

Councillor Murdock stated:

- He does not support the motion but understands the rationale; this reflects the ambiguity of the grants policy.

Councillor Derman stated:

- These applications do not meet the original criteria for matching grants; also there has been a lack of consistency in the grant decisions made over the years.
- Perhaps a new grant model would be to select a few projects and offer full funding.

Councillor Gerrard stated:

- Fairness is the issue for him.
- He would prefer to approve all the recommended grants this year and review the entire program prior to next year’s applications.

**The Motion was then Put and DEFEATED
Mayor Leonard, Councillors Brice, Gerrard, Wergeland and Murdock
Opposed**

MOTION: **MOVED by Councillor Murdock and Seconded by Councillor Gerrard:**
“That Council approve the 2012 Matching Grants in the amounts indicated from the following organizations:

Organization	Grant
Cadboro Bay Residents Association	\$500
Peninsula Streams Society	1,000
Shoreline Community School	1,000
World Fisheries Trust	1,000”

CARRIED

Councillors Brownoff, Derman and Sanders Opposed

MOTION: **MOVED by Councillor Sanders and Seconded by Councillor Murdock:**
“That staff be requested to review the Community Matching Fund Grants Policy and prepare a report which would address the issues raised by Council, including issues of duplicate applications under Saanich’s grants programs and other funding opportunities.”

Councillor Sanders stated:

- The original matching grants program was started in 2002 and worked well but over the years this has changed.
- Associations in the past were able to secure partners which made certain projects viable; inadequate funding means groups now have difficulty completing projects.
- It is appropriate for staff to look at all the issues raised by Council regarding the grant program.

Councillor Murdock stated:

- There appears to be full support for a review of the matching grants program; the experience of Councillors who have been involved with the program since its inception will be valuable.
- It is important that Council reevaluate what it wants to get out of the program, look at its objectives and remove any stumbling blocks to organizations.
- New ideas such as seed moneys which groups might use to leverage additional funding from the community could be considered.
- The review will assist in determining how Council can best invest in projects of enduring benefit to the community.

Councillor Wergeland stated:

- The review could be done by a subcommittee of Council or by the Healthy Saanich Advisory Committee, since Council has raised the concerns.

The Motion was then Put and CARRIED

REPORTS FROM MEMBERS OF COUNCIL

CANADA-EUROPEAN UNION COMPREHENSIVE ECONOMIC AND TRADE AGREEMENT

Report from Councillor Brownoff dated May 1, 2012 recommending Council adopt the motion outlined regarding the Canada-European Union Comprehensive Economic and Trade Agreement.

**MOVED BY Councillor Brownoff and Seconded by Councillor Derman;
“That:**

- a) Saanich Council endorse the Federation of Canadian Municipalities (FCM) seven Municipal principles for the Federal Government to apply to the Canada-European Union Comprehensive Economic and Trade Agreement (CETA) and future trade deals; and**
- b) Saanich Council request the Government of Canada protect the powers of Saanich to create local jobs, protect the environment, and provide services and programs as it sees fit, from any restrictions to those powers in the CETA; and**
- c) Saanich Council request the Government of Canada and the provinces and territories solicit comments from all the parties that will potentially be affected by the proposed trade agreement before finalizing any such agreement; and**
- d) Saanich Council communicate its position to the Government of Canada, the Province of British Columbia and the Federation of Canadian Municipalities.”**

Councillor Brownoff stated:

- The potential impact of this agreement on municipalities is not clear due to the confidential negotiation process; however, municipal procurements are to be included and municipalities such as Saanich may be affected. Municipal procurement was excluded from previous trade agreements.
- Stringent rules will apply; the Canada-European Union Comprehensive Economic and Trade Agreement (CETA) will prohibit a “Buy Canadian” policy as an offset; local policies which promote local job creation and local foods are among those which may be affected.
- It appears the CETA provisions may not be consistent with our Saanich Vision.

Councillor Murdock stated:

- Local food security and production are written into Saanich’s Official Community Plan.
- He supports the seven municipal principles of free and fair trade but this agreement has implications unlike other trade agreements for local governments; we may not be able to look out for our own local interests.

Councillor Derman stated:

- All affected parties should be consulted during negotiations for such trade agreements.
- There could be unnecessary additional costs incurred by the municipality as a result.
- It would appear to put an unreasonable constraint on our ability to act for the citizens of our area.

Councillor Gerrard stated;

- This is beyond our purview as a municipal council; it is appropriate that the FCM and UBCM represent us.

Councillor Wergeland stated:

- We must recognize that the FCM and UBCM will represent our position.

The Motion was then Put and CARRIED

MOTION: **MOVED by Councillor Derman and Seconded by Councillor Gerrard: "That it be recommended that Council approve and issue Amended Development Permit DPR0046385 on Lots 1, 2 and 3, Section 55, Victoria District, Plan 6947 (4001, 4009, 4017 Cedar Hill Road)."**

CARRIED

2870-30
Snowdrop Avenue

920 SNOWDROP AVENUE – REZONING APPLICATION – RICHARD WALKER

Report of the Director of Planning dated April 20, 2012 recommending Council approve the rezoning from RS-6 to RS-4 and Development Variance Permit DVP00315 for a proposed two lot residential subdivision; and that a covenant be registered prior to final reading to require that the design and siting of a new dwelling on proposed Lot B conforms with the plans presented by the applicant, including proposed new fence and hedge, and to a minimum EnerGuide 80 or equivalent energy efficiency standard.

Mr. R. Walker, owner and applicant, stated:

- The property is located in an area of RS-6 zoned single family homes, with several RS-4 properties nearby.
- He proposes to subdivide the lot, rezone each to RS-4 and build a new single family energy-efficient home on the new lot, with the existing home retained on the other lot.
- Cedar hedging will provide privacy along the north property line and a new privacy fence is planned for the west side.
- He has consulted extensively with the neighbour to the west and conducted a community meeting on the project; signatures of neighbours in support have been provided.
- A consultant has been engaged to develop a stormwater management plan.
- Variances are required for lot width, side yard setback, and allowable floor space in non-basement areas.
- A heat pump is proposed for the new house and he will continue to consult with the neighbour in this regard.

In response to questions from the Council, the applicant stated:

- The existing dwelling on proposed Lot A is near the end of its life and he has not considered an energy audit.
- Neither a rancher nor a house design without variances, were considered; living areas are situated on the top floor.
- Windows on the west side of the existing house must be removed or altered to comply with fire separation requirements of the BC Building Code.

Mr. P. Theriault, 925 Snowdrop Avenue, stated:

- He is not opposed to a new home on the site; however, the proposed new house appears large for the site and requires several variances.
- Additional traffic from this development may increase the hazard at the curve.
- There is potential for a suite.

Mayor Leonard stated:

- The applicant has prepared a thorough application including signatures of support from the neighbourhood.
- Saanich encourages this type of infill development and the application merits referral to a Public Hearing.

MOTION:

MOVED by Mayor Leonard and Seconded by Councillor Brice: “That a Public Hearing be called to further consider the rezoning application on Amended Parcel “A” (DD153664-I), Lots 1 and 2, Section 79, Victoria District, Plan 1318 (920 Snowdrop Avenue).”

Councillor Derman stated:

- Council must encourage energy retrofits of older homes in such applications.

Councillor Gerrard stated:

- The proposal requires several variances and could perhaps be designed differently to comply with the bylaw.

Councillor Wergeland stated:

- The narrow house design emphasizes its height.
- There appears to be potential for a suite which may result in additional traffic issues.

Councillor Brice stated:

- The applicant has been professional in preparing this application and consulting with the neighbourhood.
- It is appropriate for Council to focus on the proposed new house.

The Motion was then Put and CARRIED

2870-30
Violet Avenue

742 VIOLET AVENUE – REZONING APPLICATION – NORBERT WILLIAM EDWIN ASHMORE

Report of the Director of Planning dated April 20, 2012 recommending Council approve the rezoning from RS-6 to RD-1 and Development Permit DPR00494 for a proposed two family dwelling.

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

- The Planning Department can support rezoning for duplexes, if scattered throughout a neighbourhood; this is the first duplex application for this neighbourhood.

Mr. E. Ashmore, 433 Vincent Avenue, applicant, stated:

- He has owned the property for over fifty years and farmed nearby.
- He proposes a duplex to accommodate his adult family.

MOTION:

MOVED by Councillor Derman and Seconded by Councillor Brice: “That a Public Hearing be called to further consider the rezoning application on Lot 14, Block 12, Section 78, Victoria District, Plan 1171 (742 Violet Avenue).”

Councillor Derman stated:

- The applicant has agreed to consider a commitment to an energy efficiency standard such as EnerGuide 80 for the Public Hearing.

Councillor Wergeland stated:

- Council must recognize there are additional costs to the developer when a commitment to a specific energy efficiency standard is required.

The Motion was then Put and CARRIED

Adjournment

On a motion from Councillor Wergeland the meeting adjourned at 9:10 pm.

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CHAIR

I hereby certify these Minutes are accurate

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MUNICIPAL CLERK