



AGENDA

For the Regular Council Meeting
to be Held At the Saanich Municipal Hall
770 Vernon Avenue
MONDAY, FEBRUARY 22, 2016

I 6:00 P.M., COMMITTEE ROOM NO. 2

Motion to close the meeting to the public in accordance with Section 90(1)(c) and (m) of the *Community Charter*.

II 7:00 P.M., COUNCIL CHAMBERS

A. PUBLIC HEARING

1. "ZONING BYLAW, 2003, AMENDMENT BYLAW, 2016, NO. 9373"

P. 3 PROPOSED REZONING FOR A TWO-LOT RESIDENTIAL SUBDIVISION ON MILLER AVENUE

To rezone Lot A, Section 97, Lake District, Plan 19206 (**728 Miller Avenue**) from Zone A-1 (Rural – Minimum Lot Size 2ha) to Zones RS-6 (Single Family Dwelling – Minimum Lot Size 560 m²) and RS-10 (Single Family Dwelling – Minimum Panhandle Lot Size 1020m²) for the purpose of subdivision to create one additional lot for single family dwelling use. An exemption from the minimum 10% perimeter road frontage requirement for the proposed panhandle lot will be considered. A **COVENANT** will also be considered to further regulate the use of the lands and buildings.

B. DELEGATION

1. **FORTRESS FOUNDATION**

P. 34 Presentation of action plan to implement preventative measures for all forms of gender based violence with a specific focus on sexual assault, sexual exploitation and human trafficking.

C. ADOPTION OF MINUTES

1. Council Meeting held February 15, 2016
2. Committee of the Whole Meeting held February 15, 2016

D. PUBLIC INPUT (ON BUSINESS ITEMS E, F, G & H)

E. BYLAWS FOR THREE READINGS

1. **NOISE SUPPRESSION BYLAW AMENDMENT**

P. 57 Three readings of the "Noise Suppression Bylaw, 1993, Amendment Bylaw, 2016, No. 9374". To amend section 11(e) to update the wording and to require a valid building permit for excavation work.

F. RESOLUTIONS FOR ADOPTION

1. **WEBCASTING**

P. 90 Report from the Director of Engineering dated February 16, 2016 recommending that Council approve Option 1 or 2 as outlined in the report to implement live webcasting.

2. **COUNCIL CHAMBER RECONFIGURATION PILOT**

P. 108 Report from the Director of Engineering dated February 16, 2016 recommending that Council approve a two-month pilot that reconfigures the Council seating at floor level and replaces the

speaker's podium with a seated desk.

3. **DOWNLOADING OF DNA ANALYSIS COSTS**
P. 111 Recommendation from the February 9, 2016 Police Board meeting recommending that Council approve sending a letter to the Honorable Suzanne Anton in support of the letters from the City of Abbotsford and the District of Kent on the issue of downloading DNA Analysis Costs.

G. REPORTS FROM MEMBERS OF COUNCIL

1. **CHANGES TO BLANSHARD STREET**
P. 125 Report from Councillor Derman dated February 9, 2016 recommending that Council forward the report to the Engineering Department and relevant advisory committees for comment along with a request to have this comment provided at the earliest opportunity; and that Council direct the Engineering Department to review all comments and bring a report to Council as soon as possible indicating how to best approach the province and request whatever changes are determined to be appropriate.
2. **RESOLUTION TO AVICC – BRITISH COLUMBIANS WITH DISABILITIES ACT**
P. 127 Report from Mayor Atwell dated February 18, 2016 recommending that Council endorse the resolution as outlined in the report for consideration at the 2016 Convention of the Association of Vancouver Island Coastal Communities.

H. CAPITAL REGIONAL DISTRICT ACTIVITIES UPDATE

* * * Adjournment * * *

OPEN FORUM - COMMENT AND QUESTION PERIOD

The 30-minute Open Forum is an opportunity to address Council on a Saanich-related topic. Comments or questions are invited, but please be reminded there are some limitations on the topics that can be received by Council. Each speaker will have one opportunity up to three minutes at each Open Forum. For more details visit www.saanich.ca.

“IN CAMERA” COUNCIL MEETING IMMEDIATELY FOLLOWS



PUBLIC HEARING MONDAY, FEBRUARY 22, 2016

Notice of Public Hearing on February 22, 2016

A. PROPOSED REZONING FOR A TWO-LOT RESIDENTIAL SUBDIVISION (728 MILLER AVENUE)

1. Reports

- Supplemental Report from the Director of Planning dated January 26, 2016
- Report from the Director of Planning dated December 18, 2015

2. Associated Bylaw

- Bylaw No. 9373

3. Minutes

- Excerpt from the Committee of the Whole meeting held January 11, 2016

5. Correspondence

- Letter from a resident dated January 11, 2016
- Letters of support from the Royal Oak Community Association dated February 18, 2016, December 4, 2015 and July 30, 2015

**CM-PH
A.1**



THE DISTRICT OF SAANICH

NOTICE OF PUBLIC HEARING ON ZONING BYLAW

NOTICE IS HEREBY GIVEN that a COUNCIL MEETING for the purpose of a PUBLIC HEARING will be held in the SAANICH MUNICIPAL HALL COUNCIL CHAMBERS, 770 Vernon Avenue, Victoria, BC, V8X 2W7, on **MONDAY, FEBRUARY 22, 2016 at 7:00 P.M.**, to allow the public to make verbal or written representation to Council with respect to the following proposed bylaw.

A. ZONING BYLAW, 2003, AMENDMENT BYLAW, 2016, NO. 9373"
PROPOSED REZONING FOR A TWO-LOT RESIDENTIAL SUBDIVISION ON MILLER AVENUE AVENUE

To rezone Lot A, Section 97, Lake District, Plan 19206 (**728 MILLER AVENUE**) from Zone A-1 (Rural – Minimum Lot Size 2ha) to Zones RS-6 (Single Family Dwelling – Minimum Lot Size 560m²) and RS-10 (Single Family Dwelling – Minimum Panhandle Lot Size 1020m²) for the purpose of subdivision to create one additional lot for single family dwelling use. An exemption from the minimum 10% perimeter road frontage requirement for the proposed panhandle lot will be considered. A **COVENANT** will also be considered to further regulate the use of the lands and buildings.



The proposed bylaw and relevant report(s) may be inspected or obtained from the Legislative Division between 8:30 a.m. and 4:30 p.m., from February 11, 2016 to February 22, 2016 inclusive, except for weekends and statutory holidays. The report(s) from the Director of Planning regarding the above applications are available on the Saanich website at:

A: <http://saanich.ca/business/development/royaloak.html>

Enquiries and comments may be submitted by mail or by e-mail and must be received no later than 4:00 p.m. on the day of the meeting. All correspondence submitted will form part of the public record and may be published in a meeting agenda.

Legislative Division by e-mail: clerksec@saanich.ca By Phone: 250-475-1775 Web: Saanich.ca

2870 30 Miller

To Public Hearing - *Council mtg Feb 22/16*
The Corporation of the District of Saanich



*Council: Feb 04/16 ✓
Director of Engineering: " ✓
Community Association: " ✓
Applicant: ✓*

Supplemental Report

Report To: Mayor and Council
From: Sharon Hvozanski, Director of Planning
Date: January 26, 2016
Subject: Subdivision and Rezoning Application
File: SUB00744; REZ00560 • 728 Miller Avenue

BACKGROUND

At the January 11, 2016 Committee of the Whole meeting, Saanich Council considered an application to rezone the subject property from the A-1 (Rural) Zone to the RS-6 and RS-10 (Single Family Dwelling) Zones for the purpose of subdivision to create one additional lot for single family dwelling use. A waiver of the 10% perimeter road frontage requirement for a panhandle lot is requested. No variances are requested.

At that meeting, Council requested further consideration be given to the following:

- Commitment to EnerGuide 82 or equivalent energy efficiency standard; and
- The use of pavers for the new driveway.

ADDITIONAL INFORMATION

The applicant has agreed to both the EnerGuide 82 requirement and the use of pavers for the new driveway. These commitments would be secured by covenant and the recommended resolutions have been revised accordingly.

The proposed house plans have also been revised so that glazing of the main door and garage door is reflected in both the elevation drawings and streetscape image, as shown below.

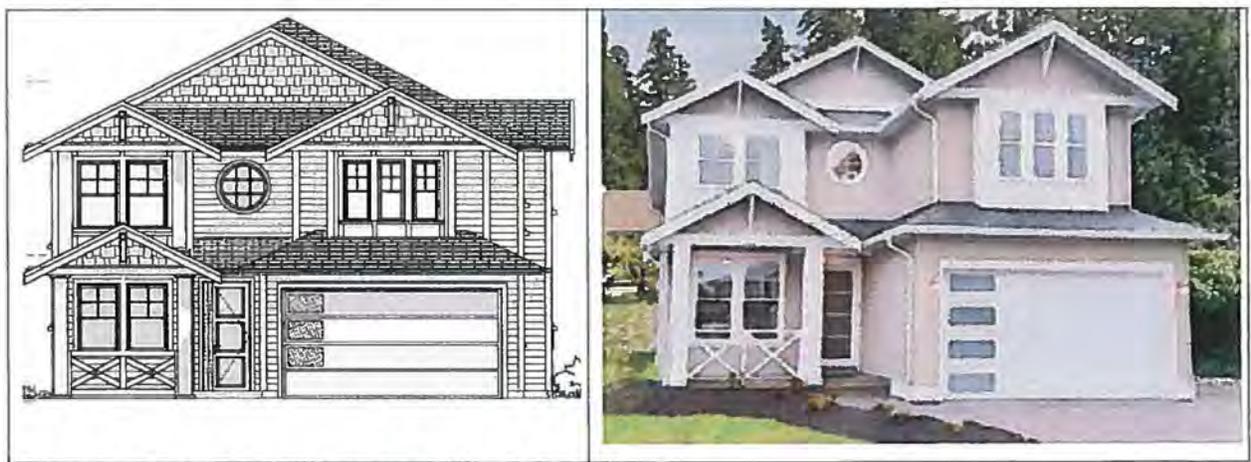
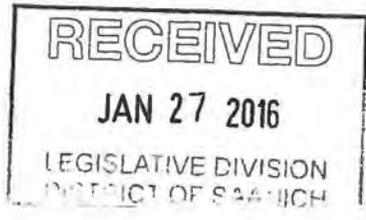


Figure 1: Revised Elevation Reflecting Glazed Doors



PH (A)

RECOMMENDATION

1. That the application to rezone the subject property from the A-1 (Rural) Zone to the RS-6 and RS-10 (Single Family Dwelling) Zones be approved;
2. That Proposed ^{Lot 1 (m)} Lot 2 be exempted from the statutory requirement to provide a minimum 10% perimeter road frontage under Section 512 (2) [formerly s. 944(2)] of the "Local Government Act"; and
3. That Final Reading of the Zoning Amendment Bylaw be withheld pending registration of a covenant requiring that:
 - The design and construction of any dwelling on proposed Lot 2 conform to a minimum EnerGuide 82 or equivalent energy efficiency standard;
 - The driveway for proposed Lot 2 be constructed with pavers;
 - Any new dwelling on proposed Lot 2 include the necessary conduits to be solar ready for future installation of photovoltaic or solar hot water systems; and
 - That the new dwelling on proposed Lot 2 be constructed substantially in compliance with the plans prepared by Java Designs date stamped Received January 13, 2016.

Report prepared by: 
 Andrea Pickard, Planner

Report reviewed by: 
 Sharon Hvozdzanski, Director of Planning

ALP/ads
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cc: Paul Thorkelsson, CAO
 Graham Barbour, Manager, Inspection Services

ADMINISTRATOR'S COMMENTS:

I endorse the recommendation of the Director of Planning.


 for Paul Thorkelsson, CAO

1410'04 Manning -
xref 2810-30 miller

CW Jan 11/16

The Corporation of the District of Saanich



Mayor
Councillors
Administrator
Com. Assoc.
Applicant

Council
Administrator
Media
Dec 31/15

Report

To: Mayor and Council
From: Sharon Hvozdanski, Director of Planning
Date: December 18, 2015
Subject: Subdivision and Rezoning Application
File: SUB00744; REZ00560 • 728 Miller Avenue

PROJECT DETAILS

Project Proposal: To rezone from A-1 (Rural) Zone to RS-6 and RS-10 (Single Family Dwelling) Zones for the purpose of subdivision to create one additional lot for single family dwelling use. A waiver of the 10% perimeter road frontage requirement for a panhandle lot is requested. No variances are requested.

Address: 728 Miller Avenue

Legal Description: Lot A, Section 97, Lake District, Plan 19206

Owner: Cadillac Developments Ltd. Inc.No. BC0754266

Applicant: Cadillac Developments Ltd., Cam Pringle

Parcel Size: 2,023 m²

Existing Use of Parcel: Residential

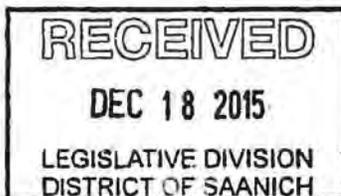
Existing Use of Adjacent Parcels: North: P-4N (Natural Park)
South: RS-6 (Single Family Dwelling)
East: A-1 (Rural) and RT-1 and RT-2 (Attached Housing)
West: RS-6 and RS-8 (Single Family Dwelling)

Current Zoning: A-1 (Rural) Zone

Minimum Lot Size: 2 ha

Proposed Zoning: RS-6 and RS-10 (Single Family Dwelling) Zones

Proposed Minimum Lot Size 561 m² for RS-6 standard lot
1196 m² plus access strip for RS-10 panhandle lot



Local Area Plan: Royal Oak

LAP Designation: General Residential

Community Assn Referral: Royal Oak Community Association • Sent July 30, 2015.
Response received December 4, 2015 indicating no objection.

PURPOSE

To rezone from A-1 (Rural) Zone to RS-6 and RS-10 (Single Family Dwelling) Zones for the purpose of subdivision to create one additional for single family dwelling use. A waiver of the 10% perimeter road frontage requirement for a panhandle lot is requested. No variances are requested.

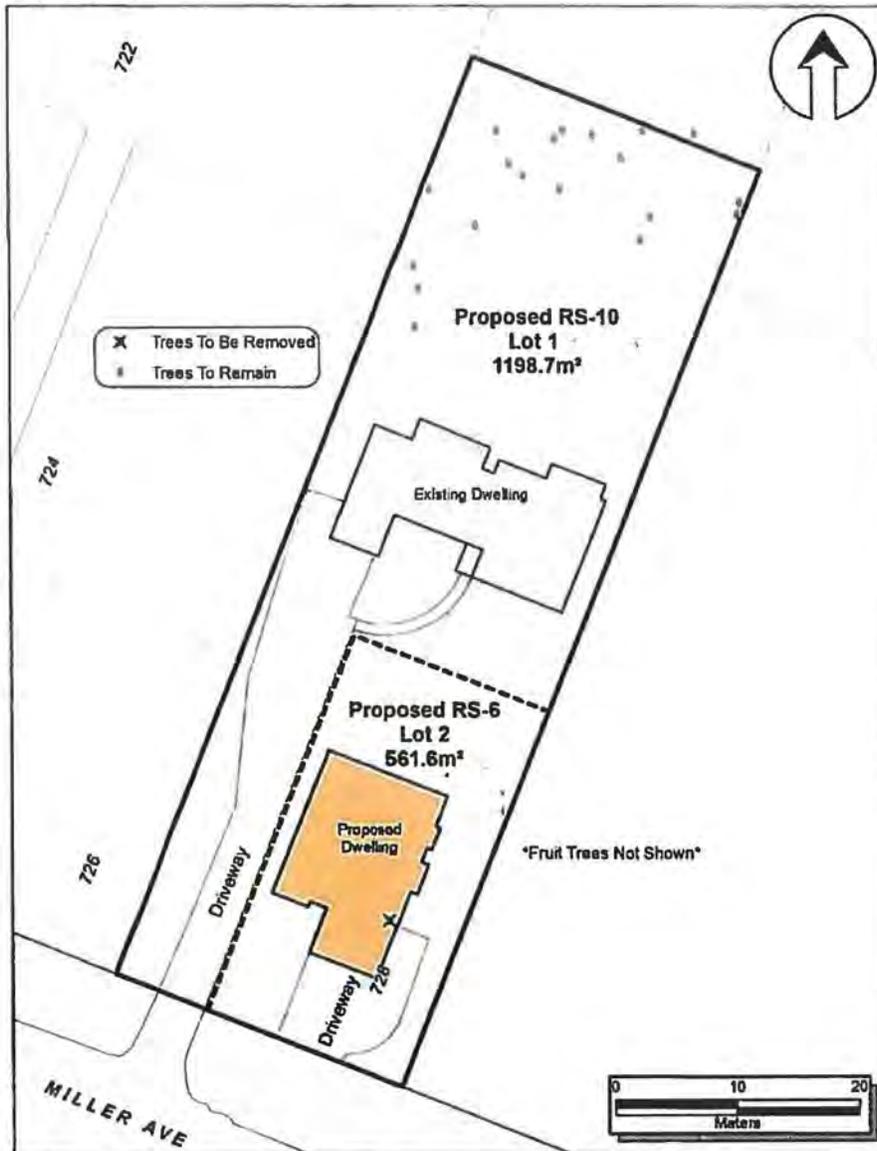


Figure 1: Proposed Subdivision

PLANNING POLICY**Official Community Plan (2008)**

- 4.1.2.25 "Work with private land owners to encourage stewardship that protects, preserves, and enhances natural systems and, where appropriate, enter into conservation covenants or provide incentives to protect riparian or environmentally sensitive areas."
- 4.2.1.1 "Support and implement the eight strategic initiatives of the Regional Growth Strategy, namely: Keep urban settlement compact; Protect the integrity of rural communities; Protect regional green and blue space; Manage natural resources and the environment sustainability; Build complete communities; Improve housing affordability; Increase transportation choice; and Strengthen the regional economy."
- 4.2.1.2 "Maintain the Urban Containment Boundary as the principal tool for growth management in Saanich, and encourage all new development to locate within the Urban Containment Boundary."
- 4.2.1.14 "Encourage the use of 'green technologies' in the design of all new buildings."
- 4.2.1.18 "Encourage new development to achieve higher energy and environmental performance through programmes such as 'Built Green', LEED or similar accreditation systems."
- 4.2.1.20 "Require building and site design that reduce the amount of impervious surfaces and incorporate features that will encourage ground water recharge such as green roofs, vegetated swales and pervious paving material."
- 4.2.4.3 "Support the following building types and land uses in Neighbourhoods:
- Single family dwellings;
 - Duplexes, tri-plexes, and four-plexes;
 - Townhouses;
 - Low-rise residential (up to four storeys); and
 - Mixed-use (commercial/residential) (up to four storeys)."

Royal Oak Local Area Plan (2001)

- 9.1 "Maintain single family housing as the predominant land use and promote appropriately located and designed small lot single family, multi-family and mixed residential housing."
- 9.2 "Consider rezoning and subdivision for single family infill development in established neighbourhoods that is compatible with and contributes to the character and quality of the community and preserves the privacy of dwellings."
- 9.5 "Continue to support the subdivision of lots in Viewmont based upon a minimum lot size of 655 m² except that rezoning to permit smaller infill lots may be considered where they would be comparable with the neighbourhood and the subdivider is willing to commit to an acceptable/compatible dwelling design."

COMMENT**Neighbourhood Context**

The subject property is within the Viewmont neighbourhood in the Royal Oak Local Area. The property is immediately south of Colquitz Park. The 2,023 m² lot is relatively flat except in the northeast corner of the lot where it declines approximately 5 m in a north-eastward direction toward Colquitz Park.

The surrounding neighbourhood is largely developed with single family dwellings, with the exception of two attached housing developments at the eastern end of Miller Avenue. The subject parcel is one of the two larger remaining lots in the neighbourhood zoned A-1 (Rural).

The site is within 1 km of the Royal Oak major "Centre" where a full range of retail and commercial services are located. The smaller village "Centres" of Strawberry Vale and Broadmead are approximately 2 km distant. Royal Oak Middle School is located approximately 1 km distant and Northridge Elementary School in the Carey Local Area is approximately 1.3 km distant. Recreational facilities at Saanich Commonwealth Place are approximately 2 km distant.

The site is well connected to a number of interconnected parks that form part of the Centennial Trail system, including Colquitz Park, Brydon Park, Copley Park East, and Copley Park West. Other parks in the area include Quick's Bottom and Layritz Park within 1 km and Rithet's Bog and Panama Flats within 2 km.

Land Use

The Official Community Plan (OCP) supports a range of housing types within neighbourhoods, including single family dwellings. Although the subject property is not within an identified "Centre" or "Village", it is within 1 km of the Royal Oak major "Centre".

Infill subdivisions are an appropriate means to encourage modest residential densification when they are compatible with the neighbourhood character. The Royal Oak Local Area Plan policies provide consideration for single-family infill development that is "compatible with and contributes to the character and quality of the community and preserves the privacy of dwellings".

At 561 m² in area, the proposed standard lot would meet the minimum lot area requirements for the RS-6 (Single Family Dwelling) Zone and the configuration of the proposed lots would be consistent with the pattern of development in the neighbourhood. The proposed subdivision of one lot, combined with the overall increase of one additional house with a suite would have a negligible impact on traffic or street parking.

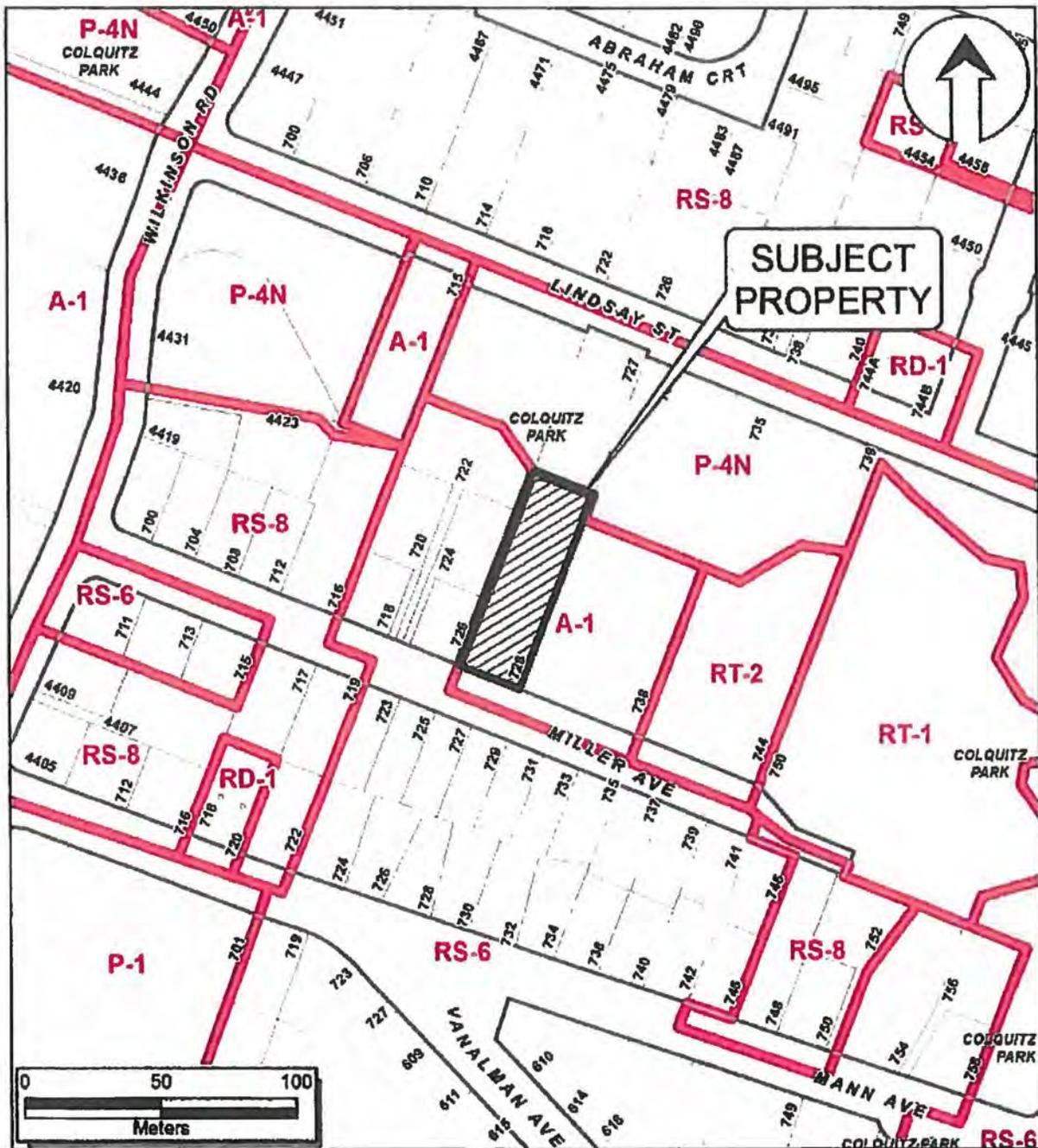




Figure 3: Aerial View of Surrounding Neighbourhood (Source: Bing Maps)

Site and Building Design

An important consideration with infill developments is that the scale, massing, and design of any proposed infill housing respects the neighbourhood character. The existing dwelling, built in 1965, would be retained on the proposed panhandle lot (Lot 1). The existing dwelling is 336 m² non-basement floor area, therefore it would conform to the proposed RS-10 zone. The applicants have provided a traditional styled house design for proposed Lot 2 that is 220 m² non-basement area, which they are willing to secure by covenant (see Figure 4). The proposed dwelling includes a secondary suite with an additional parking space provided adjacent to the side of the garage. Exterior finishes include cement board and shingles with a fiberglass roof. The proposed house design was presented to the neighbourhood and community association during consultation undertaken by the applicant.

There is no consistent dwelling height, massing, or architectural style in the immediate neighbourhood. Nearby dwellings are a mix of one and two-storey homes of varying ages and designs. A conceptual streetscape has been provided in order to illustrate how the proposed two-storey dwelling for the new lot would present to the street (see Figure 5).

The proposed dwelling is designed with the attached garage extending beyond the main building face and entrance, a design feature that is typical of newer homes. The proposed design provides articulations both horizontally in the building face and vertically with the roof lines. In order to avoid the garage being too prominent, it would be softened by including glazing in the garage door and the main entrance would be enhanced with a covered porch. Overall, the siting, size, and style of the proposed dwelling would be compatible with the housing form established in the neighbourhood.



Figure 4: Proposed Dwelling for Proposed Lot 2 (Provided by Java Designs)



Figure 5: Conceptual Streetscape (Provided by Java Designs)

10% Waiver for a Panhandle Lot

Pursuant to Council Policy 99/321, all panhandle lots that do not provide a minimum road frontage of 10% of the lot perimeter shall be referred to Council for consideration of a waiver from the statutory requirement pursuant to Section 944(2) of the "Local Government Act".

The following criteria are used by Council to assess the implications of proposed panhandle lots:

- a) **Whether the reduced frontage of the proposed lots will adversely affect the streetscape or result in conflict with existing driveways, intersections, or natural features.**

The proposal would maintain the existing driveway as access to the panhandle lot. The new dwelling and a second driveway would be sited where an existing front lawn is located. The area of development currently is grass lawn with five fruit trees and a Douglas-fir tree sparsely located within the deep front yard (see Figure 6). The second driveway would be sited such that green spaces flank both sides. Existing vegetation on the adjacent property that forms a dense vegetative buffer along the side property line would remain intact. One Schedule I boulevard tree would be required, as well as one replacement tree on the property due to the removal of the Douglas-fir.

The subject property is located midblock on a straight section of road. There are no apparent conflicts and the traffic generated by one additional single family dwelling would be insignificant.

- b) **Whether the subdivision will result in an unacceptable loss of privacy to neighbouring properties.**

The existing home would be retained on the panhandle property so no changes to the privacy of neighbouring properties are anticipated. The proposed dwelling on the new lot would enhance privacy for the panhandle lot since the front yard is currently quite open. The new dwelling proposed on the standard lot would align with the adjacent homes to the west which are currently buffered by an established hedge. The property located to the east is heavily treed, maintaining a significant buffer to the proposed new dwelling (see Figure 6).



Figure 6: Existing Streetscape of Subject Property

- c) **The extent to which buildings proposed for the lots will impact neighbouring properties by:**
- i) **overshadowing**
 - ii) **obstructing existing views**
 - iii) **blocking sunlight**

The subject property is relatively level and the area proposed for development is quite open. Approximately 17.5 m distance would be maintained between the existing and proposed

dwelling. Given the existing topography the proposed dwelling would have no impacts to views or sun exposure.

d) The extent of blasting, filling, excavating, and tree removal to be carried out to develop the proposed lots.

Only conventional filling and excavating measures should be required to construct the new dwelling, driveways, and services for the proposal. The proposed development would require the removal of at least two of the fruit trees and the Douglas-fir. One replacement tree will be required and one new Schedule I boulevard tree.

e) The degree to which the buildings to be constructed on the proposed lots will blend in with the design, height, and siting of buildings on adjacent properties.

The proposed dwelling appears to be compatible with the surrounding properties and the siting of the proposed dwelling would comply with the RS-6 zoning regulations. Overall, the siting, size, and style of the proposed dwelling would be compatible with the housing form established in the neighbourhood.

Environment

An undeveloped area with a number of mature Cedar and Douglas-fir trees is located on the northern portion of the property abutting Colquitz Park. Consideration of a Natural State covenant to form a contiguous natural corridor would be considered by the Approving Officer. The applicant has indicated they are willing to enter into a covenant for this purpose.

The applicant has committed to an EnerGuide 80 or higher, or an equivalent energy efficiency standard for construction of the proposed dwelling. The proposed dwelling would also be constructed solar ready for the future installation of photovoltaic or solar hot water systems.

CLIMATE CHANGE AND SUSTAINABILITY

Policy Context

The Official Community Plan (OCP) adopted in 2008 highlights the importance of climate change and sustainability. The OCP is broadly broken down into the pillars of sustainability including environmental integrity, social well-being, and economic vibrancy. Climate change is addressed under the environmental integrity section of the OCP and through Saanich's Climate Action Plan.

Climate change is generally addressed through mitigation strategies and adaptation strategies. Climate change mitigation strategies involve actions designed to reduce the emissions of greenhouse gasses, primarily carbon dioxide from combustion, while climate change adaptation involves making adjustments and preparing for observed or expected climate change, to moderate harm and to take advantage of new opportunities.

The following is a summary of the Climate Change and Sustainability features and issues related to the proposed development. This section is not and cannot be an exhaustive list or examination of the issue. However, this section is meant to highlight key issues for Council and keep this subject matter at the forefront of council's discussion.

Climate Change

This section includes the specific features of a proposal related to mitigation and adaptation strategies. Considerations include: 1) Project location and site resilience, 2) Energy and the built environment, 3) Sustainable transportation, 4) Food security, and 5) Waste diversion.

The proposed development includes the following features related to mitigation and adaptation:

- The proposal is located within the Urban Containment Boundary and approximately 1 km from the commercial services at the Royal Oak major "Centre".
- Royal Oak Middle School is approximately 1 km distant and Northridge Elementary School is approximately 1,3 km distant.
- Recreation facilities at Saanich Commonwealth Place is approximately 2 km distant.
- The site is well connected to a number of trails and parks that include tennis courts, playing fields, play equipment and natural areas.
- The proposal is an in-fill development that is able to use existing roads and infrastructure to service the development.
- The subject property is approximately 13 m from a floodplain area within Colquitz Park that could receive stormwater and act as a natural buffer area during extreme storm events.
- The applicant has committed to constructing the new dwelling to an EnerGuide 80, or an equivalent energy efficiency standard, including the necessary conduit and piping to be considered solar ready for the future installation of solar photovoltaic or hot water heating systems. Staff did speak with the applicant about meeting a higher EnerGuide rating. At this time the applicant is willing to secure an EnerGuide rating of 80, but the actual rating may be higher. These commitments would be secured by covenant.
- The heating source would be through a combination of ductless heat pumps, a heat recovery ventilation system and a high efficiency gas fireplace.
- The property is located approximately 250-300 m from public transit stops on Wilkinson Road.
- The current level of public transit service in the area includes one route available on Wilkinson Road (Rte # 8) which runs between the Royal Oak Exchange and downtown Victoria. Buses travel along this route at an average of every 24 minutes during week days.
- The proposed development would encourage alternative forms of transportation by its proximity to the cycling and pedestrian network.
- The development is readily accessible via all modes of alternative transportation including walking, cycling, and public transit.
- The proposed development includes sufficient area suitable for backyard gardening. Surrounding trees will result in some shading of the lot.
- Demolition waste would be reduced by the existing dwelling being retained rather than demolished.

Sustainability

Environmental Integrity

This section includes the specific features of a proposal and how it impacts the natural environment. Considerations include: 1) Land disturbance, 2) Nature conservation, and 3) Protecting water resources.

The proposed development includes the following features related to the natural environment:

- The proposal is a compact, infill development in an already urbanized area without putting pressures onto environmentally sensitive areas or undisturbed lands.
- The proposal includes granting a natural state covenant on a portion of the property in order to avoid impacting the native vegetation, which is contiguous with the adjacent park land.
- The proposed stormwater management practices includes underground detention tanks and a constructed wetland, rain garden or grassy swale.
- Impervious area will be increased from the existing 13.8% to approximately 25%.

Social Well-being

This section includes the specific features of a proposal and how it impacts the social well-being of our community. Considerations include: 1) Housing diversity, 2) Human-scale pedestrian oriented developments, and 3) Community features.

The proposed development includes the following features related to social well-being:

- Secondary suites are allowed, subject to permits, within all RS zones inside the Urban Containment Boundary.
- The residential design incorporates outdoor areas of covered patios and yard space that are suitable for active and passive use.
- The applicant has agreed to register a covenant securing the design of a new dwelling for the proposed lot as presented to the neighbourhood.
- A range of outdoor, community and recreation opportunities are available within reasonable walking/cycling distance.

Economic Vibrancy

This section includes the specific features of a proposal and how it impacts the economic vibrancy of our community. Considerations include: 1) Employment, 2) Building local economy, and 3) Long-term resiliency.

The proposed development includes the following features related to economic vibrancy:

- The development would create short-term jobs during the construction period.
- The proposal would be within the commercial catchment/employment area for the businesses and services located within the Royal Oak major "Centre".

COMMUNITY CONSULTATION

The applicant has consulted with the immediate neighbours and Royal Oak Community Association and provided plans showing the proposed subdivision and house design.

The application was referred to the Royal Oak Community Association July 30, 2015. A response was received on December 4, 2015, indicating no objection.

SUMMARY

The applicant proposes to rezone from A-1 (Rural) Zone to RS-6 and RS-10 (Single Family Dwelling) Zones for the purpose of subdivision to create one additional lot for single family dwelling use. A waiver of the 10% perimeter road frontage requirement for a panhandle lot is requested.

The existing 336 m² (non-basement) dwelling would be retained on the panhandle lot that would be zoned RS-10 in order that the dwelling conform to the proposed zone. A new 220 m² dwelling would be constructed on the proposed RS-6 lot. The design of the proposed dwelling would be secured by covenant.

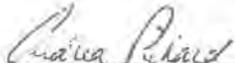
The proposed subdivision would be compatible with the neighbourhood character and with the surrounding pattern of residential development in the neighbourhood. Limited infill in existing neighbourhoods inside the Urban Containment Boundary is contemplated as part of the Official Community Plan. The property is within reasonable walking/cycling distance to transit, parks, schools, and shopping.

The following item would be referred to the Approving Officer for consideration in the subdivision process:

- Provision of a natural state covenant on the northern portion of the property adjacent to Colquitz Park.

RECOMMENDATION

1. That the application to rezone the subject property from A-1 (Rural) Zone to RS-6 and RS-10 (Single Family Dwelling) Zones be approved;
2. That Final Reading of the Zoning Amendment Bylaw be withheld pending registration of a covenant requiring that:
 - The design and construction of any dwelling on proposed Lot 2 conform to a minimum EnerGuide 80, or equivalent energy efficiency standard;
 - Any new dwelling on proposed Lot 2 include the necessary conduits to be solar ready for future installation of photovoltaic or solar hot water systems; and
 - That the new dwelling on proposed Lot 2 be constructed substantially in compliance with the plans prepared by Java Designs date stamped Received October 14, 2015.

Report prepared by: 
Andrea Pickard, Planner

Report reviewed by: 
Sharon Hvezdanski, Director of Planning

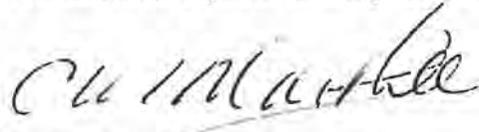
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Attachment

cc: Andy Laidlaw, Administrator
Graham Barbour, Manager of Inspection Services

ADMINISTRATOR'S COMMENTS:

I recommend a public hearing be called.

for 
Andy Laidlaw, Administrator

CADILLAC DEVELOPMENTS LTD.

January 21, 2016

DISTRICT OF SAANICH
Engineering Department
770 Vernon Avenue
Victoria, B.C.
V8X 2W7

Attention: Jagtar S. Bains, Development Coordinator

Dear Sir:

Re: Servicing Requirements for Development of 728 Miller Avenue, Victoria, B.C.

This is to advise that Cadillac Developments Ltd. undertakes to meet the development servicing requirements as per the letter from the Municipal Clerk, dated August 26, 2015, a copy of which is attached hereto.

Sincerely,

CADILLAC DEVELOPMENTS LTD.,

Per:

Cam Pringle

(PH)



Memo

To: Subdivision Office
From: Jagtar Bains – Development Coordinator
Date: August 26, 2015
Subject: Servicing Requirements for Development

CUM

PROJECT: TO REZONE FROM A-1 TO RS-6 AND RS-10 FOR THE PURPOSE OF SUBDIVISION TO CREATE ONE ADDITIONAL LOT FOR SINGLE

**SITE ADDRESS: 728 MILLER AVE
PID: 003-703-193
LEGAL: LOT A SECTION 97 LAKE LAND DISTRICT PLAN 19206
DEV. SERVICING FILE: SVS01954
PROJECT NO: PRJ2015-00323**

The intent of this application is to subdivide the above referenced parcel to create one additional lot for single family use. Some of the more apparent Development Servicing requirements are as listed on the following pages(s).

A handwritten signature in black ink, appearing to read "Jagtar Bains".

Jagtar Bains
DEVELOPMENT COORDINATOR

cc: David Sparanese, MANAGER OF TRANSPORTATION & DEVELOPMENT

ENTERED
IN CASE
RECEIVED
AUG 26 2015
PLANNING DEPT.
DISTRICT OF SAANICH

Page 1 of 1

Development Servicing Requirements

Development File: SVS01954
Civic Address: 728 MILLER AVE
Page: 1

Date: Aug 26, 2015

Drain

1. STORM WATER MANAGEMENT MUST BE PROVIDED IN ACCORDANCE WITH THE REQUIREMENTS OF SCHEDULE H "ENGINEERING SPECIFICATIONS" OF SUBDIVISION BY-LAW. THIS SUBDIVISION/DEVELOPMENT IS WITHIN TYPE 1 WATERSHED AREA WHICH REQUIRES STORM WATER STORAGE, CONSTRUCTION OF WETLAND OR TREATMENT TRAIN AND SEDIMENT BASIN. FOR FURTHER DETAILS, REFER TO SECTION 3.5.16, STORM WATER MANAGEMENT AND EROSION CONTROL OF SCHEDULE H "ENGINEERING SPECIFICATIONS" OF SUBDIVISION BY-LAW.
2. SUBSEQUENT DRAIN CONNECTIONS WILL BE REQUIRED FOR PROPOSED LOT 2 FROM THE EXISTING MAIN ON MILLER AVENUE.

Gen

1. THIS PROPOSAL IS SUBJECT TO THE PREVAILING MUNICIPAL DEVELOPMENT COST CHARGES.
2. PRIVATE EASEMENT WILL BE REQUIRED FOR SEWER AND OVERHEAD WIRING OVER PROPOSED LOT 2 IN FAVOR OF PROPOSED LOT 1 OR ALTERNATIVELY, SEWER AND WIRING CAN BE INSTALLED WITHIN THE ACCESS STRIP FOR PROPOSED LOT 1.
3. THE EXISTING HOUSE MUST BE CONNECTED OR RECONNECTED TO WATER AND SEWER.

Road

1. A POLE MOUNTED STREET LIGHT IS REQUIRED ON THE EXISTING POLE FRONTING 729 MILLER AVENUE.
2. MILLER AVENUE, FRONTING THIS SUBDIVISION, MUST BE IMPROVED TO MUNICIPAL RESIDENTIAL ROAD STANDARDS COMPLETE WITH MOUNTABLE CONCRETE CURB AND GUTTER.

Sewer

1. THE EXISTING CONNECTION MUST BE PROVIDED WITH AN INSPECTION CHAMBER FOR FUTURE USE BY PROPOSED LOT 2.
2. SUBSEQUENT SEWER CONNECTION WILL BE REQUIRED FOR PROPOSED LOT 1 FROM THE EXISTING MAIN ON MILLER AVENUE. THIS CONNECTION IS TO BE EXTENDED ALONG THE EAST SIDE OF PROPOSED LOT 2 THROUGH A PRIVATE EASEMENT.

Water

1. THE EXISTING 13 MM WATER SERVICE MUST BE UPGRADED TO 19 MM TO SERVE PROPOSED LOT 2.
2. A NEW WATER SERVICE IS REQUIRED FOR PROPOSED LOT 1.



**DEVELOPMENT PERMIT APPLICATION
STORMWATER MANAGEMENT STATEMENT**

Parcel Address: 728 Miller Ave
Applicant: CADILLAC DEVELOPMENTS LTD
Date: JUNE 15 2015
Contact Person: CAM PRINGLE
Telephone: 250 883 1015

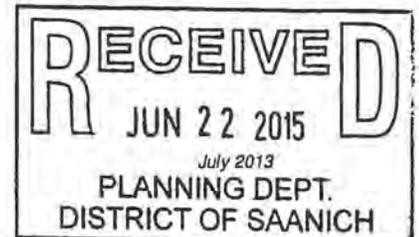
Storm water management is reviewed as part of the Development Permit Review process. Applications are required to meet:

1. The Engineering Specifications detailed in Section 3.5.16 of Schedule "H" of the Subdivision Bylaw, 7452; and
2. The intent of the Development Permit guidelines:
 - a) Development Permit Areas #1, 2, 3, 6, through 15, 17, 18, 20, 21, 22, 23
 - The total impervious cover of the site should minimize impact on the receiving aquatic environment. Consideration should be given to reducing impervious cover through reduction in building footprint and paved areas.
 - Storm water runoff controls should replicate the natural runoff regime. The controls could include on-site infiltration, storage in ponds or constructed wetlands, sand filtration and creative road/curb configurations.

b) Development Permit Area #27

Maintain pre-development hydrological characteristics should by the following means:

- minimize impervious surfaces.
- return the storm water runoff from impervious surfaces of the development to natural hydrologic pathways in the ground to the extent reasonably permitted by site conditions, and treat, store and slowly release the remainder per the specifications of Schedule H to the Subdivision Bylaw.
- minimize alteration of the contours of the land outside the areas approved for buildings, structures and site accesses by minimizing the deposit of fill and removal of soil, and
- minimize the removal of native trees outside the areas approved for buildings, structures and site accesses.



Keeping in mind the requirements of Schedule "H", describe how your storm water management concept will meet the intent of the relevant development permit guidelines. Provide details on types of treatment systems that will be used, considering the following questions:

- a) Will there be an increase or decrease in impervious area compared to existing conditions?
- b) What percentage of the site will be impervious cover compared to existing conditions?
- c) How will impervious surface area be minimized (e.g. minimizing paved area and building footprints, pervious paving, green roofing, absorbent landscaping)?
- d) How will the proposed system detain and regulate flows and improve storm water quality (e.g. infiltration systems, engineered wetlands, bioswales)?
- e) If the intent of the guideline cannot be met, explain why.

Use additional pages if necessary. Attach plans if available; detailed engineering plans will be required as part of the Building Permit process.

NOTE: Meeting the Development Permit guidelines and issuance of a Development Permit does not relieve the requirements of Schedule "H" of the Subdivision Bylaw.

a) There will be an increase in area of potentially 213m² of new roof area.

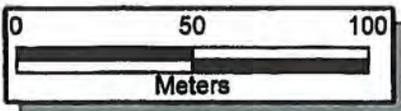
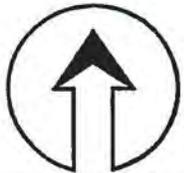
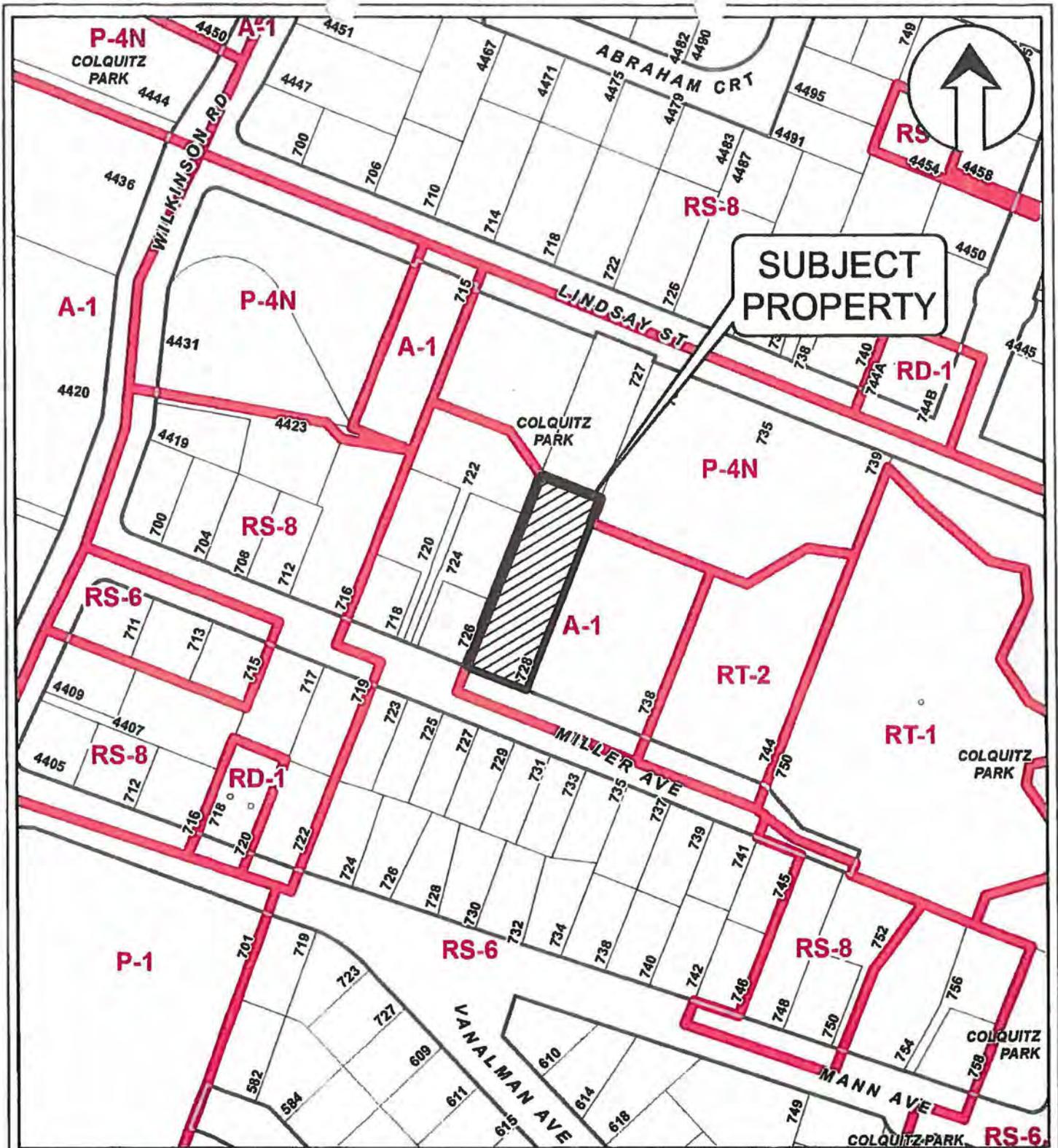
b) Existing impervious area is 13.8% and may increase to approx. 24.9%.

c) Impervious area will be minimized through the use of absorbent landscaping and a reduced building footprint and/or some pervious paving

d) Runoff will be detained in an underground tank constructed with a controlled release. Prior, runoff will pass through a constructed wetland sloping away from the buildings and into the tank.

e)

If you require clarification, please contact:
The District of Saanich • Planning Department • 3rd Floor • Municipal Hall
770 Vernon Avenue • Victoria • BC • V8X 2W7
Tel: 250-475-5471 Fax: 250-475-5430



District of Saanich
 Planning Dept.
 July 27, 2015

THE CORPORATION OF THE DISTRICT OF SAANICH

BYLAW NO. 9373

TO AMEND BYLAW NO. 8200,
BEING THE "ZONING BYLAW, 2003"

The Municipal Council of The Corporation of the District of Saanich enacts as follows:

- 1) Bylaw No. 8200, being the "Zoning Bylaw, 2003" is hereby amended as follows:
 - a) By deleting from Zone A-1 and adding to Zone RS-10 the following lands:

That part of Lot A, Section 97, Lake District, Plan 19206, shown as "Proposed Lot 1" on the Zoning Plan prepared by Powell & Associates, BC Land Surveyors, dated February 5, 2016 and attached hereto as Schedule "A".
 - b) By deleting from Zone A-1 and adding to Zone RS-6 the following lands:

That part of Lot A, Section 97, Lake District, Plan 19206 shown as "Proposed Lot 2" on the Zoning Plan prepared by Powell & Associates, BC Land Surveyors, dated February 5, 2016 and attached hereto as Schedule "A".

(728 Miller Avenue)
- 2) This Bylaw may be cited for all purposes as the **"ZONING BYLAW, 2003, AMENDMENT BYLAW, 2016, NO. 9373"**.

Read a first time this 15th day of February, 2016.

Public Hearing held at the Municipal Hall on the

Read a second time this

Read a third time this

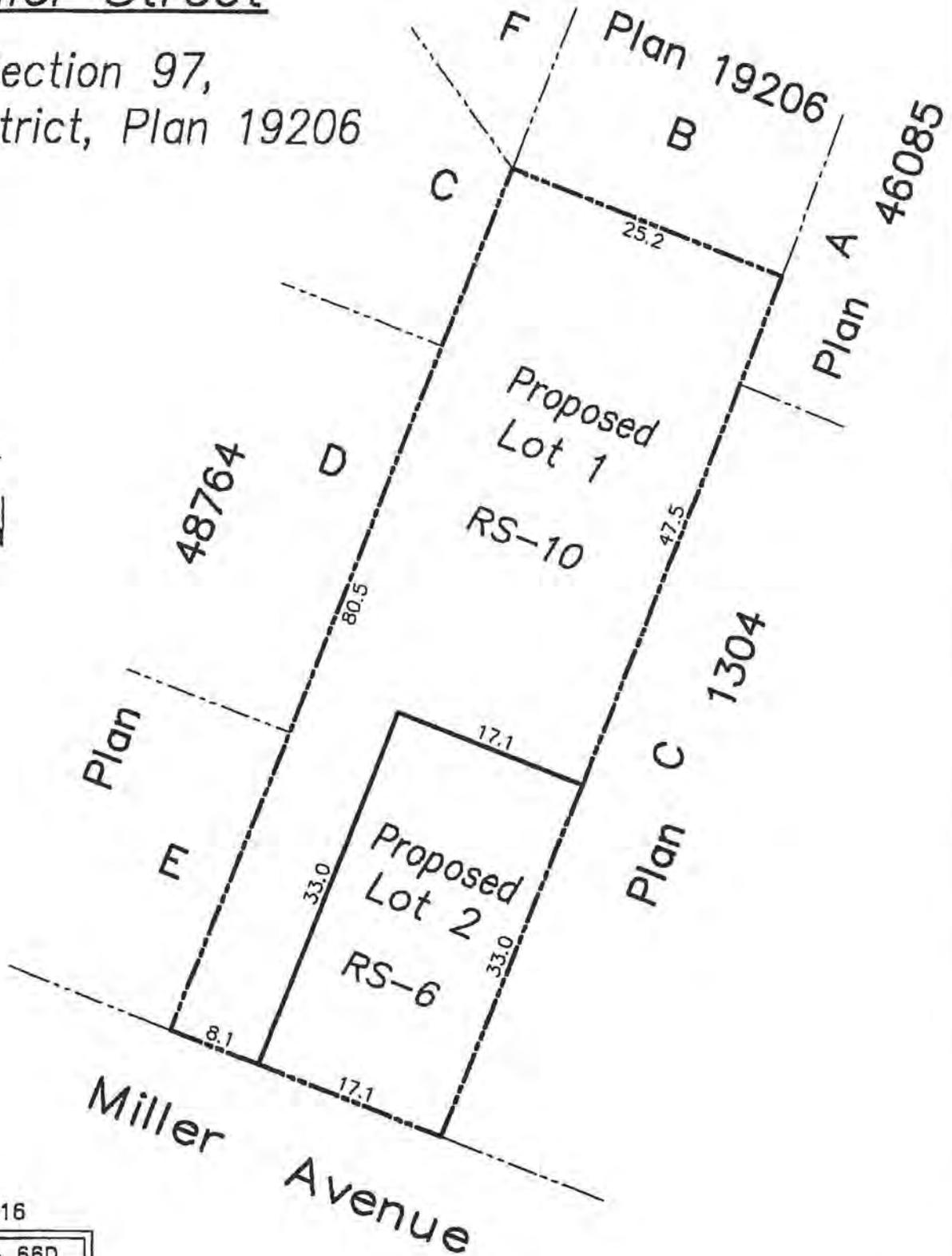
Adopted by Council, signed by the Mayor and Clerk and sealed with the Seal of the Corporation on the

Municipal Clerk

Mayor

Zoning Plan for
728 Miller Street

Lot A, Section 97,
Lake District, Plan 19206



February 5, 2016

File : 12,050 - 66D

POWELL & ASSOCIATES

B C Land Surveyors
250-2950 Douglas Street
Victoria, BC V8T 4N4
phone (250) 382-8855

Schedule 'A'
Bylaw No. 9373

1410-04
Report -
Planning

xref: 2870-30
Miller Avenue

728 MILLER AVENUE – SUBDIVISION AND REZONING APPLICATION

Report of the Director of Planning dated December 18, 2015 recommending that Council approve the rezoning from A-1 (Rural) to RS-6 and RS-10 (Single Family Dwelling) zones for a proposed subdivision to create one additional lot, and that Final Reading of the Zoning Bylaw Amendment be withheld pending registration of a covenant to secure the requirements as outlined in the report.

APPLICANT:

C. Pringle, Cadillac Developments Ltd, presented to Council and highlighted:

- No variances are requested; the design of the proposed new dwelling, as presented to neighbours, will be secured by covenant.
- The existing home will be renovated and upgraded; the design and construction of the proposed new dwelling will conform to a minimum EnerGuide 80, or equivalent, energy efficiency standard.
- The proposed development fits within the character of the neighbourhood.
- The proposed new dwelling includes a secondary suite with an additional parking stall; a total of five parking stalls will be available on the property.
- Consultation took place with immediate neighbours and the Royal Oak Community Association (ROCA); ROCA has no objections to the proposal.

In response to questions from Council, the applicant stated:

- He is willing to commit to EnerGuide 82.
- The new driveway will be constructed with concrete but pavers could be considered; the panhandle lot will be accessed by the existing driveway.
- New stormwater management will assist with run off.
- Mature trees on the property will be retained.

PUBLIC INPUT:

M. Henderson, President, Royal Oak Community Association, stated:

- The applicant held meetings with neighbours and ROCA; ROCA has no objections to the proposal.

K. Whitworth, Viewmont Avenue, stated:

- ROCA did not take a position on the proposed development.
- The proposed development is appropriate and fits within the character of the neighbourhood; the applicant has a history of providing quality projects.
- The provision of a natural state covenant on the northern part of the property adjacent to Colquitz Park is appreciated.

COUNCIL DELIBERATIONS:

Motion:

MOVED by Councillor Derman and Seconded by Councillor Brice: "That a Public Hearing be called to further consider the rezoning application on Lot A, Section 97, Lake District, Plan 19206 (728 Miller Avenue)."

Councillor Derman stated:

- This is limited infill in an appropriate location; the builder has a history of

providing quality projects.

- The willingness of the applicant to commit to EnerGuide 82 is appreciated.

Councillor Brice stated:

- This is a suitable location for infill; it is in close proximity to trails and services.

The Motion was then Put and CARRIED

ClerkSec - Re: Rezoning and Subdivision of 728 Miller Avenue / reply



From: K WHITWORTH [redacted]
To: Liz Gudavicius <Liz.Gudavicius@saanich.ca>
Date: 1/11/2016 10:11 AM
Subject: Re: Rezoning and Subdivision of 728 Miller Avenue / reply
CC: Andrea Pickard <Andrea.Pickard@saanich.ca>, Katherine Whitworth [redacted] <president@royaloakcommunityassociation.ca>, [redacted] <vicepresident@royaloakcommunityassociation.ca>

Hi Liz:

Thank you for the information. It is always best to query and confirm at what stage something is going to take place. After 20 years, I still learn something new.
Katherine

Sent from my iPad

On Jan 11, 2016, at 8:56 AM, Liz Gudavicius <Liz.Gudavicius@saanich.ca> wrote:

Katherine,
Although the natural state covenant requirement was not part of the Recommendations for Council, it is an item referred to the Approving Officer for consideration during the subdivision review. Once the rezoning has received Final Reading, it will be a requirement as part of the Conditional Approval of subdivision document when it is issued.
Our apologies regarding the incorrect Transit Route number.

Thanks,

Liz Gudavicius

Subdivision Coordinator/Approving Officer
Current Planning Division
Planning Department
District of Saanich
770 Vernon Avenue
Victoria, BC V8X 2W7

t. 250-475-5494 ext 3414
f. 250-475-5430
liz.gudavicius@saanich.ca
www.saanich.ca

This e-mail and any attachments are for the sole use of the intended recipient and must not be distributed or disclosed to anyone else. The content of this e-mail and any attachments may be confidential, privileged and/or subject to the Freedom of Information and Protection of Privacy Act. If you have received this message in error, please delete it and contact the sender. Please consider the environment before printing this e-mail.

>>> "Katherine Whitworth" <[redacted]> 1/8/2016 4:28 PM >>>

Ladies:

I noticed on page 10 of the report going to Council on Monday, January 11....a bullet stating a "natural state covenant". This is not highlighted under the

"Recommendations". Please advise.

Sustainability Environmental Integrity

This section includes the specific features of a proposal and how it impacts the natural environment. Considerations include: 1) Land disturbance, 2) Nature conservation, and 3) Protecting water resources. The proposed development includes the following features related to the natural environment: The proposal is a compact, infill development in an already urbanized area without putting pressures onto environmentally sensitive areas or undisturbed lands. The proposal includes granting a natural state covenant on a portion of the property in order to avoid impacting the native vegetation, which is contiguous with the adjacent park land. The proposed stormwater management practices includes underground detention tanks and a constructed wetland, rain garden or grassy swale. Impervious area will be increased from the existing 13.8% to approximately 25%

As well, just above it says the property is serviced by BC Transit route #8. It is actually serviced by route #30-Carey.

Thank you.

Katherine Whitworth

The greatest glory in living lies not in never falling,
but in rising every time we fall.

~~ Nelson Mandela ~~
1918 - 2013

<mime-
attachment.png>

This email has been checked for viruses by Avast antivirus software.
www.avast.com

2870-30 Miller



Royal Oak Community Association

Box 50, #106 - 4480 West Saanich Road

Victoria, BC V8Z 3E9

www.RoyalOakCommunityAssociation.ca

February 18, 2016

Penny Masse
Senior Committee Clerk
District of Saanich
Current Planning - Subdivision
770 Vernon Ave
Victoria BC V8X 2W7

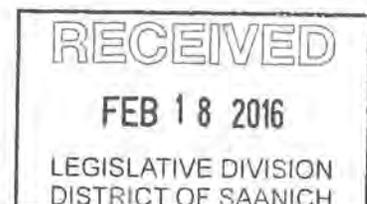
Dear Penny

At our recent General Meeting, members of Royal Oak Community Association voted in favour of this motion:

To support in principle the rezoning of 728 Miller Avenue from A-1 (rural) to RS-10 (Residential) and RS-6 (Residential), and subdivision to create one additional lot under the RS-6 zone.

Yours truly,

Marsha Henderson
President
Royal Oak Community Association

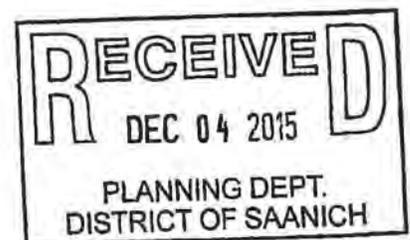


Planning - 728 Miller

From: <royaloakcommunityassociation@gmail.com>
To: "planning@saanich.ca" <planning@saanich.ca>
Date: 12/4/2015 11:15 AM
Subject: 728 Miller
Attachments: S_COMMUNITY ASSN LTR SUBD.DOC.docx

We have no objection to this application.

Marsha Henderson
President
Royal Oak Community Association



Royal Oak Community Association

July 30, 2015

Dear Community Association:

RE: Application for Subdivision:

Site Address: 728 MILLER AVE
Legal: LOT A SECTION 97 LAKE LAND DISTRICT PLAN 19206
Folder #: SUB00744 REZ00560

An application for subdivision has been received for a site within your Community Association area. The project is currently being referred to internal departments and external agencies for comment.

We are interested to know if your Community Association:

- Has no objection to the project
- Generally has no objection with suggested changes or concerns
- Does not support the project.

We would appreciate receiving your comments in writing or by email to planning@saanich.ca within 30 days, in order for us to consider them during the subdivision review process. If you cannot meet this time frame, please email or call our office to indicate if and when you might be able to respond to the referral.

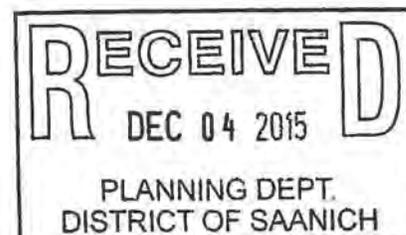
It is suggested that you periodically check our website, www.saanich.ca *Active Planning Applications* as any revised site plans for this application will be posted there.

Sincerely,



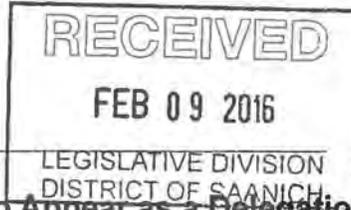
Liz Gudavicius
Subdivision Coordinator

cc: Clerks Department



District of Saanich
Legislative Division
770 Vernon Ave.
Victoria BC V8X 2W7

t. 250-475-1775
f. 250-475-5440
saanich.ca



LEGISLATIVE SERVICES

Mayor
Councillors
Administrator

Council
Administrator
Media
Feb 17 11:16 AM

Application to Appear as a Delegation

The personal information you provide on this form is collected under s. 26(c) of the FOIPPA and will be used for the purpose of processing your application to appear as a delegation before Saanich Council. The application will form part of the meeting's agenda and will be published on the website. Your personal telephone number and e-mail address will not be released except in accordance with the *Freedom of Information and Protection of Privacy Act*. Questions about the collection of your personal information may be referred to the Saanich FOI Team, 770 Vernon Ave, Victoria, BC, V8X 2W7 or by telephone at 250-475-1775.

General Information

Name of Person or Organization

Joel Conway, FORTRESS Foundation

Meeting Date Requested

01-28	Feb	2016
Day	Month	Year

Application must be submitted by 12:00 noon at least 10 days prior to the meeting date.

Contact Information

Name of Contact Person (if other than name above)

Telephone Number

E-mail

Joel@fortress-foundation.com

Presentation Information

Please be specific and attach additional information if required. Maximum presentation time is 10 minutes.

Topic of Discussion
Please describe the topic of your presentation

Presentation of action plan to implement preventative measures for all forms of gender based violence with a specific focus on sexual assault, sexual exploitation and human trafficking.

I have attached background materials

Yes No

Printed background information should be submitted for distribution with the agenda, or bring 13 copies to the meeting.

Audio/Visual Presentation

Yes No

Presentation materials need to be submitted by noon on the Friday before the meeting and tested on Saanich equipment.

For Office Use

Delegation for Meeting: Feb 22/16

Refer to Committee: _____

Refer to Department: _____ Direct Action: _____ Response: _____

1300-20 UBCm Con

Ottawa

Room 518, Confederation Building
Ottawa, Ontario K1A 0A6
Tel.: 613-996-1119
Fax.: 613-996-0850



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

Ottawa

Pièce 518, Édifice de la Confédération
Ottawa (Ontario) K1A 0A6
Tél. : 613-996-1119
Télec. : 613-996-0850

Constituency

9711 Fourth Street Suite 1
Sidney, British Columbia V8L 2Y8
Tel.: 250-657-2000
Fax.: 250-657-2004

Elizabeth May

Member of Parliament / Députée
Saanich – Gulf Islands / Saanich – Gulf Islands

Circonscription

9711, rue Fourth Bureau 1
Sidney (Colombie-Britannique) V8L 2Y8
Tél. : 250-657-2000
Télec. : 250-657-2004

Donna Dupas
Legislative Manager, City of Saanich
770 Vernon Ave.
Victoria, BC
V8X 2W7]

October 23, 2015

Dear Ms. Dupas,

Thank you for your letter regarding the motion passed by Saanich Council on August 10, 2015. I am happy to see municipal governments taking on such important initiatives such as preventing human trafficking.

I would specifically like to commend Councillor Haynes for his leadership on this issue. Our community is stronger because of his efforts.

If I can ever be of any assistance in working towards addressing this horrific problem we face, please do not hesitate to contact my office.

Sincerely,

Elizabeth May, O.C., M.P.
Member of Parliament for Saanich-Gulf Islands
Leader of the Green Party of Canada

cc. Mayor and Council
Councillor Fred Haynes

POST TO	gort.	POSTED	2015 11.02
COPY TO	JFH/BD		
INFORMATION	<input checked="" type="checkbox"/>		
REPLY TO WRITER	<input type="checkbox"/>	COPY RESPONSE TO LEGISLATIVE DIVISION	
REPORT	<input type="checkbox"/>		
FOR			
ACKNOWLEDGED	<input checked="" type="checkbox"/>		



elizabeth.may@parl.gc.ca
www.elizabethmaymp.ca

RECEIVED

OCT 30 2015

LEGISLATIVE DIVISION
DISTRICT OF SAANICH

1410-04



CANADIAN UNION OF PUBLIC EMPLOYEES

Local 2011

District of Saanich

#104 – 3301 Douglas Street, Victoria, BC, V8Z 3L2

Tel: 250-727-2215 Fax: 250-727-2216

Email: cupe2011@shaw.ca

Mayor Atwell and Saanich Council
Corporation of the District of Saanich
770 Vernon Avenue
Victoria, BC V8X 2W7

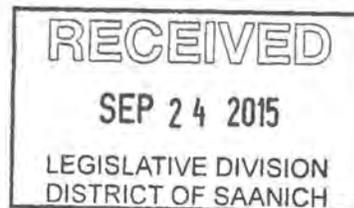
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INFORMATION	<input checked="" type="checkbox"/>		
REPLY TO WRITER	<input type="checkbox"/>		
COPY RESPONSE TO LEGISLATIVE DIVISION			
REPORT	<input type="checkbox"/>		
FOR			
ACKNOWLEDGED	dm		

September 18, 2015

Dear Mayor Atwell and Saanich Council,

On behalf of CUPE Local 2011 and more than 1200 members of Local 2011, the Executive Board is in full support of Saanich Council's decision to endorse **Resolution B53 Human Trafficking** being brought forward at the 2015 UBCM Convention in Vancouver, BC.

In Solidarity ...



Executive Board, CUPE Local 2011



DRAFT: Report

To: Mayor and Councillors
From: Councillor Fred Haynes
Date: Wednesday, 5 August, 2015
Subject: Human Trafficking

In British Columbia, human trafficking is seen as a problem that cannot be ignored and I ask my colleagues to consider raising our voice on this serious community issue.

As recognized in the BC's Action Plan to Combat Human Trafficking, and by the creation of BC's Office to Combat Trafficking in Persons (OCTIP), Human Trafficking is a form of modern-day slavery and a serious human rights violation.

Within Saanich, our Police Officers are involved in making a difference. Resources are applied and staff complete mandatory training covering what to look for and the resources and responses that are available. Our Police Force has a regional approach including a Mobile Youth Services Team that works with youth at risk.

RECOMMENDATION:

That Saanich Council supports the resolution by the North Central Local Government Association to the Union of British Columbia Municipalities to encourage municipalities to work collaboratively with the RCMP and local Police Forces in British Columbia to combat human trafficking.

COMBATTING HUMAN TRAFFICKING

District of Saanich

WHEREAS human trafficking is a real and devastating issue in British Columbia;

AND WHEREAS significant work & research has been done to aid in the prevention and prosecution of human trafficking throughout Canada:

THEREFORE BE IT RESOLVED that Saanich supports the North Central Local Government Association resolution to the Union Of British Columbian Municipalities and encourages municipalities to work collaboratively with local Police Forces and the RCMP in order to implement the recommendations found within the National Task Force on Sex Trafficking of Women and Girls in Canada's recent report ("NO MORE' Ending Sex-Trafficking In Canada") as well as the Province of British Columbia's "Action Plan to Combat Human Trafficking.

Additionally, that letters communicating this resolution be sent to our local MLA's and MP's.

Councillor Fred Haynes

UBCM Resolutions on Human Trafficking and Rape Culture- September 2015

B53

HUMAN TRAFFICKING; NCLGA Executive

WHEREAS human trafficking is a real and devastating issue in British Columbia;
AND WHEREAS significant work & research has been done as of late to aid in the prevention and prosecution of human trafficking throughout Canada:

THEREFORE BE IT RESOLVED that UBCM call on the RCMP to work collaboratively with respective local governments in order to implement the recommendations found within the National Task Force on Sex Trafficking of Women and Girls in Canada's recent report ("NO MORE' Ending Sex -Trafficking In Canada") as well as the Province of British Columbia's "Action Plan to Combat Human Trafficking."

ENDORSED BY THE NORTH CENTRAL LOCAL GOVERNMENT ASSOCIATION
UBCM RESOLUTIONS COMMITTEE RECOMMENDATIO

B80

RAPE CULTURE IN CANADA; NCLGA Executive

WHEREAS sexual assaults continue to be committed across Canada, and victims are of every age, race, income and gender;

AND WHEREAS sexual assaults are under reported, and prosecution and conviction rates are low:

THEREFORE BE IT RESOLVED that UBCM advocate for an intergovernmental task force to be convened to determine the steps needed to erase the "rape culture" that is pervasive in schools, universities, workplaces and elsewhere across Canada;

AND BE IT FURTHER RESOLVED that the task force be mandated to elicit testimony from victims in order to determine the steps needed to improve the reporting, arrest and conviction rates across Canada.

ENDORSED BY THE NORTH CENTRAL LOCAL GOVERNMENT ASSOCIATION
UBCM RESOLUTIONS COMMITTEE RECOMMENDATION:

Fred Haynes, Councillor
District of Saanich
Mobile 250-889-9352

Begin forwarded message:

From: "Cathy Peters" [REDACTED]
Date: October 4, 2015 at 7:25:43 AM PDT
To: "Susan Brice" <Susan.Brice@saanich.ca>, "Judy Brownoff" <Judy.Brownoff@saanich.ca>, "Vic Derman" <Vic.Derman@saanich.ca>, "Fred Haynes" <Fred.Haynes@saanich.ca>, "Mayor" <Mayor@saanich.ca>, "Colin Plant" <Colin.Plant@saanich.ca>, "Vicki Sanders" <Vicki.Sanders@saanich.ca>, "Leif Wergeland" <Leif.Wergeland@saanich.ca>, "" <dean.murdoch@saanich.ca>
Subject: RE: Email #5: UBCM Resolution on Human Trafficking in BC

Dear Richard, Susan, Judy, Vic, Fred, Dean, Colin, Vicki, Leif,
The UBCM passed the following Resolution on Human Trafficking:

B53 Human Trafficking *Endorsed as Amended*
Therefore be it resolved that UBCM call on the RCMP, local police forces, and local governments to continue to work collaboratively in order to implement the recommendations found within the National Task Force on Sex Trafficking of Women and Girls in Canada's recent report ("NO MORE" Ending Sex-Trafficking in Canada) as well as the Province of British Columbia's Action Plan to Combat Human Trafficking.

Also B80 passed which is a Resolution on Rape Culture in BC. Thank you to the NCLGA and the District of Saanich for their work on this!

British Columbia has an excellent Action Plan to Combat Human Trafficking, put together by the OCTIP (Office to Combat Trafficking in Persons). This office, which is a part of the Provincial Ministry of Justice has

a wealth of resources and information on this issue (for free).
OCTIP office: 1-604-660-5199; OCTIP email: octip@bc.ca

Here are links to their Action Plan, Toolkit and recent update on trafficking in BC. Every City Councillor and Mayor in BC should be aware of this contact and information. You all will be “up-to-date” on the subject Human trafficking and Sexual Exploitation if you go through these excellent links. The OCTIP is the only office of its kind in Canada. Please contact them!

<http://www.pssg.gov.bc.ca/octip/docs/action-plan.pdf>

<http://www.pssg.gov.bc.ca/octip/docs/2014StatusReport.pdf>

<http://www.pssg.gov.bc.ca/octiptraining/toolkit/index.html>

Coordination of services for trafficked persons call 1-888-712-7974.

To report a suspected case of HT please contact:

RCMP Human Trafficking Coordinator for BC at 604-598-4603 or **CrimeStoppers** at 1-800-222-TIPS (8477)

The OCTIP has identified **3 Priority Focus Areas:** Youth, Vulnerable Workers, Aboriginal Communities.

The OCTIP has identified **5 Priority Actions:**

1. Raise awareness and increase public understanding of HT in BC
2. Increase number of service providers and front line personnel with training on HT to ensure trafficked persons are identified, protected, and assisted with appropriate and culturally relevant services.
3. Empower and build capacity in local BC communities (including Aboriginal communities) to prevent HT and

- provide assistance to trafficked persons.
4. Increase coordination of services to address the unique needs of trafficked persons in BC communities, emphasizing culturally appropriate responses.
 5. Increase research, policy and legislative responses to HT in BC.

BC is the best place in Canada to “traffic victims”. Please, let us change this! Together, we can make a difference.

We hope to hear from you. We need a collaborative effort.

For example, should there be a Provincial conference on the subject to share strategies, challenges, successes?

Sincerely, Cathy and Allan Peters (concerned citizens and parents)



Braefoot Community Association

1359 McKenzie Avenue, Victoria BC V8P 2M1

P 250 721 2244 E admin@braefoot.ca

W www.braefoot.ca

January 5th, 2015

Our Board of Directors

Chair

Ray Parks

Vice Chair

Manuel Achadinha

Executive Director

Lee Richardson

Directors

Dan Campbell

Dave Cutler

Bob Davies

Rob Jawanda

Tom Martin

Jim Tighe

Miles Takacs

To Whom it May Concern,

It is our mission to "enable youth to participate in activities that promote positive lifestyles, which contribute to healthy communities." With over 20 years as an organization with this mandate, and the experience of impacting the lives of tens of thousands of youth, we have recognized a serious need for a front line organization who addresses the difficult questions that face our youth today. The Fortress Foundation is that organization. They bring a fresh and approachable view on subject matter that is often swept under the rug. Their vision to see a shift in culture and to empower young people to recognize the dangers of sexual exploitation and eliminate its presence is a vision we support 100%.

Through the implementation of their unique approach to delivering difficult content we are confident we will see a significant impact on the youth of our city and beyond. We are proud to have the work of the Fortress Foundation as a representation of our beautiful city of Victoria, and believe it will carry influence much further beyond our borders.

Lee Richardson,

Board Member of Braefoot Community Association

Opportunities for Youth since 1986



17th Decembér 2015

To whom it may concern,

I am writing this letter of support for the work of the FORTRESS Foundation and their vision to end all forms of violence against women. The work of the organization is commendable and we have partnered with them as a location to film a scene in their film "Aspirations". This story has a powerful message to raise awareness of domestic human trafficking and we look forward with anticipation to screening this film in our facility in alignment with their Men End Exploitation project when the film is released in 2016.

We have opened the discussion of this future facility usage and are in the process of planning the event with the FORTRESS Foundation as they are scheduled to shoot on campus December 20th, 2015.

Excited for the current and future impact of their work.

Sincerely,

A handwritten signature in black ink, appearing to read "Bruce Barnard", with a stylized flourish at the end.

Bruce Barnard
Facility Rental Specialist

January 2015

To Whom It May Concern,

I would like to express my support for Fortress Foundation's Shift Youth Educational Series. I strongly support the film series goal of preventing human and sexual trafficking by inspiring youth to critically examine the sexually exploitative culture in which we live.

Not only does this visionary project aim to shift the culture among the next generation, Fortress Foundation is also committed to engaging youth in all stages of the production, exposing them to new skills and to the power of media.

Joel Conway has built a solid reputation for his passion and determination in engaging men to prevent sexual exploitation and violence against women. I wish him and the production team the best success on this project. I look forward to the release of the Shift series, and the dialogue it will undoubtedly create.

Sincerely,

A handwritten signature in black ink, appearing to read "Lisa Helps". The signature is fluid and cursive, with the first letter "L" being particularly large and stylized.

Lisa Helps
Mayor of Victoria

December 15, 2015

I would like to express my continued support for the Fortress Foundation and their vision to eliminate violence against women. I strongly support their goals of preventing sexual violence by inspiring men to critically examine their behavior in the sexually exploitative culture in which we live.

Not only does this visionary project aim to shift the culture among the next generation, Fortress Foundation is also committed to engaging men in all stages of development, exposing them to new skills and to the power of media.

Joel Conway has built a solid reputation for his passion and determination in engaging men to prevent sexual exploitation and violence against women. I wish him and their team the best success on this project. I look forward to the distribution of their Men End Exploitation program, and the dialogue it will undoubtedly create on Post-Secondary Campuses across our province, and around the globe. We, the City of Victoria, in partnership with the FORTRESS Foundation, commit to assuring the delivery of their programs reach the men of our city to empower audiences to embrace equality and reject exploitation.

Sincerely,

A handwritten signature in black ink, appearing to read "L. Helps". The signature is fluid and cursive, with a large initial "L" and a stylized "H".

Lisa Helps
Victoria Mayor



December 2015

To whom it may concern:

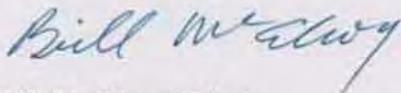
The Capital Region Action Team (CRAT) for Sexually Exploited Youth is a group of individuals, Agencies, Government Officials, Police, Teachers and Youth Workers who meet frequently, on a volunteer basis, to discuss the issue of Sexually Exploited Youth in our community. For over 15 years, we have worked to educate the public and youth about sexual exploitation and to identify gaps in service for those who need help.

I am writing to support the funding application of the Fortress Foundation to bring a digital approach to the issue of sexual assault by men. By raising the level of understanding by men, the issues of sexual assault, exploitation and harassment should become clearer. By using digital media, it should become more user friendly, and therefore more accessible to those who need to have a better understanding of these issues.

CRAT has worked with the Fortress Foundation in the past and has found them to be very understanding of the root causes of the exploitation of youth. By using a digital approach to these issues, they should be able to provide access to those who need the information on an immediate basis.

If you have any questions or concerns about this issue, please feel free to contact me.

Yours sincerely,



Bill McElroy, Chair
Capital Region Action Team for Sexually Exploited Youth.



To whom it may concern:

The Capital Region Action Team (CRAT) for Sexually Exploited Youth is a group of individuals, Agencies, Government Officials, Police, Teachers and Youth Workers who meet frequently, on a volunteer basis, to discuss the issue of Sexually Exploited Youth in our community. For over 15 years, we have worked to educate the public and youth about sexual exploitation and to identify gaps in service for those who need help.

I am writing to support the funding application of the Fortress Foundation, who are putting together a series of short informational videos for youth. The issue of the sexual exploitation of youth has taken a significant change of direction over the past 15 years. Back then, the primary means of exploiting youth was recruiting and procuring youth at schools, arcades and other places where youth "hung out". Sexual exploitation was visible on "Kiddie Strolls" in every city in North America.

However, now the activity is taking place almost entirely on the Internet. We need to develop tools to let youth and their parents have a greater awareness of the issue. That means developing short films that can be shown on the internet, Facebook pages, Twitter, and other online sites. This is what the Fortress Foundation wants to do and they have our support.

A small organization like ours does not have the resources to do this. However, professionally developed films, like those proposed by Fortress, will allow many organizations throughout North America, to have access to materials that will be used by youth.

We believe that this project will be an excellent use of funds and will encourage greater cooperation between the non-profit, for-profit and government sectors. We need to work together to address this issue affecting our youth.

If you have any questions or concerns about this issue, please feel free to contact me.

Yours sincerely,

A handwritten signature in black ink that reads "Bill McElroy".

Bill McElroy, Chair
Capital Region Action Team for Sexually Exploited Youth.

December 16, 2015

To Whom This May Concern,

This letter is written in support of the Fortress Foundation's application for Strengthening the Responses on Post Secondary Campuses for 2015-2016. The Salvation Army Deborah's Gate is a national safe house and high security rehabilitative program for survivors of human trafficking. Working with women and girls age 18 and up, survivors fleeing exploitation find safe refuge, wrap around outreach services, and life and living skills development through our unique programs. More information can be found at www.deborahsgate.ca.

The Fortress Foundation is seeking to develop a workshop series titled "Men End Exploitation" to be hosted on college and university campuses across the province of BC to focus on the prevention of sexually exploitive and violent behavior. They will seek to provide male and female perspective to some of the contributing factors and root causes of this issue, and provide a vast array of resources to effect positive peer to peer change around sexual assault and violence on campuses and online. The Fortress Foundation is one of the only organizations that engage women and men on these issues, and use creative means both in person and online to communicate a powerful message of prevention, intervention, and re-direction of behavioral trends and violence on campuses, and against women and girls. They are steadily building their network of supports and connections on Vancouver Island, including with the Capital Region Community Action Team, The BC Aboriginal Friendship Centres, and the newly formed Porchlight Ministries to work in collaboration and partnership.

We are pleased to support this project, please contact me directly should you wish to speak further,

Sincerely,

Larissa Maxwell

The Salvation Army

Manager, Anti-Human Trafficking Programs

-Deborah's Gate, New Hope Outreach, Living Hope: Life and Living Skills Program

P: [604-694-6640](tel:604-694-6640)*, [604-915-5678](tel:604-915-5678)

F: [604-694-6982](tel:604-694-6982)



November 17, 2014

To Whom It May Concern:

Extreme Outreach Society has been in operation since 1989 and has seen first hand the need for a program designed specifically for the youth as a preventative and educational method for combating sexual exploitation and human trafficking. The FORTRESS Foundation has precisely the type of actionable steps we believe need to be taken, and we are confident they are the right group of passionate individuals for effective implementation. We are excited to work along side this project and help it to reach the communities of Vancouver Island.

We can be reached by phone, or e-mail according to your convenience. Please let us know if you have any questions regarding this.

Sincerely,

Cliff Power,
Executive Director & Founder
Extreme Outreach Society

To whom it may concern,

I am writing this letter to support the application for the FORTRESS Foundation and their application for funding to strengthen the response to sexual assault on post-secondary campuses. We endorse their work and are developing strategies to work in partnership with their organization to address these very important issues.

The Moose Hide Campaign is a grassroots movement of Aboriginal and non-Aboriginal Men who are standing up against violence towards women and children. Wearing this moose hide signifies your commitment to honor, respect, and protect the women and children in your life and to work together with other men to end violence against women and children. Our vision is to spread the Moose Hide Campaign to organizations, communities, and governments throughout Canada.

Many efforts, projects, and strategies are now under-way throughout the country to change this reality, but we can and need to do more. Silence is not good enough, and simply being a non-abuser is not good enough. We must speak up and take action, and we need to support each other as men. The work of the FORTRESS Foundation and the Men End Exploitation project is the type action we need to see and support.

Paul Lacerte,

Executive Director of the BC Association of Aboriginal Friendship Centres

Moosehide Campaign Founder

<http://moosehidecampaign.ca/>

A handwritten signature in black ink, appearing to read "Paul Lacerte". The signature is stylized with a large, sweeping flourish at the end.

HOPE FOR THE SOLD

January 7, 2015

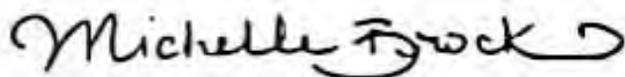
To Whom It May Concern,

I wish to express my support for The Fortress Foundation's initiative to launch a dramatic mini-series to reach boys and young men with the message of respecting women in a sex saturated culture.

Hope for the Sold has been involved in trafficking prevention for several years, and the Fortress team has been very helpful in supporting and promoting our most recent project, a documentary film on trafficking prevention. They are driven, willing to work with others, and passionate about reaching the younger generation. From experience, we know that media can have a huge impact on people, and believe it to be one of the most effective methods for changing societal attitudes. In a world where sex sells and gender inequality thrives, it is imperative that another message - one of dignity and respect for all humans - is strengthened. This mini-series would do just that.

Trafficking prevention starts at the youngest of ages, and I believe the vision of The Fortress Foundation is a critical piece of the movement.

Sincerely,



Michelle Brock
Co-founder, Hope for the Sold
www.hopeforthesold.com
michelle@hopeforthesold.com

1 Union St.
Elmira ON
N3B 3J9
519.669.8844



March, 2015

FORTRESS Foundation
6-788 Shawnee Rd
Victoria, BC V8Z 6M9

Dear Joel Conway:

I am pleased to inform you that your application for a civil forfeiture grant, “*Aspirations – SHIFT – Protection in a Sexually Predatory Culture*” was successful. You will receive a one-time grant in the amount of \$20,000.00. Funds are being distributed by the Civil Forfeiture Office in partnership with the Victim Services and Crime Prevention Division of the Ministry of Justice.

A payment will be processed to your organization within the next few weeks. We understand that your organization will use these funds to produce and edit Episode 5 in the series entitled ‘Aspirations’. The episode includes an in depth look at the harmful effects of sexual exploitation. The episode will also weave in a narrative involving a First Nations youth, who will be subjected to sexual exploitation through debt bonding, drinking, drugs, trauma bonding and other manipulation and grooming tactics.

Please note that upon the completion of your project, you will be required to submit a final report which will include an activity summary and financial report. A copy of any resource materials produced through the project would also be appreciated.

Staff members will contact you periodically for progress reports and would also be pleased to receive updates on the status of your project.

If you have any questions or require additional information, please contact Victor Porter at 604-775-2315 or Victor.Porter@gov.bc.ca.

I appreciate the time and effort involved in preparing your application. I wish you great success with your project.

Sincerely,

Lynda Cavanaugh
Assistant Deputy Minister



Contact: Darin Reimer
Phone: (250) 385-6255
Email: sanctuaryyouth@outlook.com
Web: sanctuaryyouth.org
Street: 767 Humboldt Street, Victoria, BC

January 2, 2015

To Whom It May Concern,

While I have just gotten to know Joel Conway of Fortress Foundation recently (I just began as Executive Director of Sanctuary Youth Center early last year), I have been able to glean from my experience that he is passionate about this issue of sexual exploitation and determined in his efforts to bring the issue to the forefront of other's attention in order to eradicate this practice from our Canadian society.

I endorse this film project and the people employed in making it happen.

If I can be of service or provide any further assistance in this matter, please let me know.

Respectfully,

A handwritten signature in blue ink, appearing to read "Darin Reimer", is written over a light blue horizontal line.

Darin Reimer

Executive Director, Sanctuary Youth Center.



MYST

Mobile Youth Services Team

1703 Monterey Avenue, Victoria, BC V8R 5V6

January 14, 2015

To Whom It May Concern,

I am writing to support the application for funding being submitted by "FORTRESS".

MYST is an integrated police unit whose mandate is working with at risk sexually exploited youth aged 13-18. Sexual exploitation is a growing concern and the more organizations we have to assist in combatting the issues and dealing with those involved the better. The more organizations collaboratively working together to prevent human trafficking and exploitation the more lives we will see changed. The vision that FORTRESS has is an amazing and needed idea.

I support this project and the people involved making it.

Respectfully submitted,

Cst. Jennifer GIBBS #73
Mobile Youth Services Team (MYST)

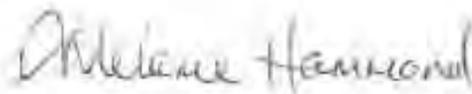


November 10th, 2014

To whom it may concern:

We as the Young Entrepreneurs Society of Victoria BC, recognize excellence in organizational strength within both the for profit and nonprofit sectors of business within our communities. One organization that brings leading edge strategies to distributing culturally relevant content, is the Fortress Foundation. We recognize the in depth research and development they do to bring about positive change in our community, and consider their organization as a much needed resource for the benefit of many.

Our technology driven future depends on groups of leading thinkers and action oriented social justice movements, like that propelled by the Fortress Foundation, to maintain a proper balance in perspectives of exploitative content consumption. We extend our resources and support to their efforts to eliminate the sexual exploitation of children and youth. They have what we believe is a critical piece to solve this problem and are anticipating great results through the creation of their Youth Empowerment video series.



Melanie Hammond,
Vice Chair of the Young Entrepreneurs Association

1410.04 Legislative
x: 1110.30 Noise



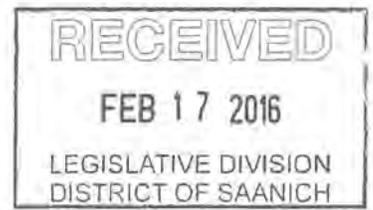
The Corporation of the District of Saanich

Mayor
Councillors
Administrators
Com. Assoc.
Applicant

Council
Administration
Media
Feb 17/16 BK

Report

To: Mayor and Council
From: Carrie MacPhee, Director of Legislative Services
Date: February 15, 2016
Subject: Noise Suppression Bylaw Amendment



PURPOSE

The purpose of this report is to recommend that Council amend s. 11(e) of the "Noise Suppression Bylaw, 1993, No. 7059" (Noise Bylaw).

BACKGROUND

The Noise Bylaw provides a general prohibition against noise that disturbs the quiet and enjoyment of a neighbourhood but also includes a series of exemptions for situations like the use of a lawnmower between certain hours, the sounding of a horn/signalling device used as a danger/warning signal, or farming activities between certain hours. A recent bylaw enforcement matter has brought to light a deficiency in the Noise Bylaw with respect to the following exemption:

"11. EXEMPT NOISE

The provisions of this bylaw shall not apply to:

- (e) The erection, demolition, construction, reconstruction, altering or repairing of any building or other structure within the Municipality or the excavating of any street, highway, lane or any other land between the hours of 7:00 a.m. and 9:00 p.m. on each day except Sunday, or in the case of urgent necessity, at any other time during the week if such work is essential to the health, safety or protection of the public."

The rationale for this exemption is that building and road construction work will inevitably make noise that disturbs the surrounding neighbourhood but are also works that are in the public interest. Provided the works are carried out during normal construction hours they should not be subject to Noise Bylaw prosecution.

The language of the exemption, however, also exempts noise produced by the excavating of "any other land". This may include excavation work that is not associated with any building construction or road construction. Such excavation would not generally be considered in the public interest and therefore should not enjoy an exemption from the Noise Bylaw.

**CM
E. 1**

Re: Noise Suppression Bylaw Amendment

Our legal counsel has reviewed this situation and recommends s. 11(e) be revised as follows to remove this specific exemption for "any other land" and also tie the earlier exemption to a valid building permit:

"11. EXEMPT NOISE

The provisions of this bylaw shall not apply to:

- (e) The erection, demolition, construction, reconstruction, altering or repairing of any building or other structure, or the excavation for such building or structure, provided a valid building permit has been obtained for the excavating of any street, highway or lane between the hours of 7:00 a.m. and 9:00 p.m. on each day except Sunday, or in the case of urgent necessity, at any other time during the week if such work is essential to the health, safety or protection of the public."

SUMMARY

A recent bylaw enforcement matter has brought to light a deficiency in s. 11(e) of the Noise Bylaw with respect to excavation work that is not associated with building or road construction. Our legal counsel has recommended that this deficiency be rectified and that this section also be tightened up in terms of obtaining a valid building permit. An amendment bylaw is attached for Council's consideration.

RECOMMENDATION

That Council give three readings to "Noise Suppression Bylaw, 1993, Amendment Bylaw, 2016, No. 9374".



Carrie MacPhee,
Director of Legislative Services

CGN/CM/sl
Attachment

cc: Paul Thorkelsson, CAO; Sharon Hvozdzanski, Director of Planning

CAO COMMENTS:

I endorse the recommendation of the Director of Legislative Services.



Paul Thorkelsson, CAO

THE CORPORATION OF THE DISTRICT OF SAANICH

BYLAW NO. 9374

TO AMEND BYLAW NO. 7059,
BEING THE "NOISE SUPPRESSION BYLAW, 1993"

The Municipal Council of The Corporation of the District of Saanich enacts as follows:

- 1) Bylaw No. 7059, being the "Noise Suppression Bylaw, 1993" is hereby amended by
 - a. deleting Section 11(e) and substituting therefor the following:

"11(e) The erection, demolition, construction, reconstruction, altering or repairing of any building or other structure, or the excavation for such building or structure, provided a valid building permit has been obtained, or the excavating of any street, highway or lane between the hours of 7:00 a.m. and 9:00 p.m. on each day except Sunday, or in the case of urgent necessity, at any other time during the week if such work is essential to the health, safety or protection of the public."
- 2) This Bylaw may be cited for all purposes as the "**NOISE SUPPRESSION BYLAW, 1993, AMENDMENT BYLAW, 2016, NO. 9374**".

Read a first time this day of , 2016.

Read a second time this day of , 2016.

Read a third time this day of , 2016.

Adopted by Council, signed by the Mayor and Clerk and sealed with the Seal of the Corporation on the

Municipal Clerk

Mayor

THE CORPORATION OF THE DISTRICT OF SAANICH

BYLAW NO. 7059

**FOR ABATEMENT AND CONTROL OF NOISE
IN THE MUNICIPALITY OF SAANICH**

The Municipal Council of The Corporation of the District of Saanich in open meeting assembled enacts as follows:

1. DEFINITIONS

In this Bylaw, unless the context otherwise requires:

- a) **CONTINUOUS SOUND** means any sound occurring for a duration of more than 3 minutes, or occurring continually, sporadically or erratically but totalling more than 3 minutes in any 15 minute period of time;
- b) **DECIBEL** means the ratio between levels of sound pressure expressed as 20 times the logarithm to the base of 10 of the said ratio;
- c) **DULY AUTHORIZED** means authorized by the Municipality;
- d) **FARM LAND** means land classified as a farm pursuant to the provisions of the *Assessment Act*;
- e) **HEAT PUMP** means a device which has the capability to transfer heat from the air outside a building or structure to the air inside a building or structure or vice versa, by means of a compressible refrigerant and includes an air conditioner, condenser, compressor, refrigeration unit and all equipment and devices accessory thereto;
- f) **MOTOR BOAT** means a vessel which is propelled by an internal combustion engine;
- g) **MUNICIPALITY** means The Corporation of the District of Saanich;
- h) **POINT OF RECEPTION** means:
 - i. any place on a parcel where sound originating from any source, other than a source on such parcel, is received; or
 - ii. any place on a highway sound is received;

- i) **QUIET ZONE** means any area of land or highway included within any zone under the provisions of the Zoning Bylaw of the Municipality in effect from time to time other than land in an Industrial Zone or Commercial zone on which no residential dwelling units have been constructed;
- j) **SHOPPING CENTRE ZONE** means the C-3 (Shopping Centre Zone) Zone under the Zoning Bylaw 1988 of the Corporation of the District of Saanich or any successor bylaw;
- k) **SOUND** means the oscillation in pressure, stress, particle displacement or particle velocity, in a medium with internal forces (i.e., elastic, viscous) or the super position of such propagated oscillations, which oscillations are capable of causing an auditory sensation;
- l) **SOUND LEVEL** is the average of the medians of 5 or more sets of lower and upper measurements of a series of A-weighted sound pressure levels read or recorded at a point of reception on a slow response of a sound level meter;
- m) **SOUND LEVEL METER** means a sound measuring device designated to meet the American National Standard A.N.S.I. SI4-1971 or the C.S.A. Standard Z107.1-1973, as the same may exist from time to time and specifically shall include:
 - i. Bruel and Kjaer - Sound Level Meter types 2205, 2208, 2213, and types 2203, 2204, 2206, and 2209, calibrated with a Bruel and Kjaer Sound Level Calibrator type 4230, or Pistophone type 4220;
 - ii. General Radio - Sound Level Meter model 156-B; 1511-C and model 1933 calibrated with a General Radio Sound Level Calibrator model 1562-A.
 - iii. Quest Electronics model 214 Sound Level Meter calibrated with a Quest Electronics Calibrator model CA-12.
- n) **STRUCTURE** means any construction, except a building, affixed to or sunk into land; includes fences and walls and excludes paved parking surfaces, on-grade patios and boats.
- o) **WATER PUMP** means a pump which circulates water in a swimming pool or hot tub.
- p) **PERSONAL WATER CRAFT** means a vessel less than 4 m (13.1 ft.) in length, without a cockpit, propelled by equipment which includes an internal combustion engine and a jet pump and which is designed to be operated by a person sitting, standing or kneeling on the vessel.

2. GENERAL PROHIBITION

- (a) No person shall make or cause to be made any noise or sound in or on a highway or elsewhere in the Municipality which disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort or convenience of the neighbourhood or of persons in the vicinity thereof.
- (b) No person shall shout, use a megaphone or make other noise in or at or on streets, wharves, docks, piers, steamboat landings, railway stations, or other public places which disturbs or tends to disturb the quiet, peace, rest, enjoyment comfort or convenience of the neighbourhood or of persons in the vicinity thereof.

3. PRIVATE PROPERTY

No person, being the owner of occupier or being in possession or control of real property shall suffer or permit any person to make or cause to be made any noise or sound therein or thereon which disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort or convenience of the neighbourhood or of persons in the vicinity thereof.

4. ANIMALS

No person shall harbour or keep any animal or bird which by causing frequent or loud noise disturbs the quiet, peace, rest, enjoyment, comfort or convenience of the neighbourhood or of persons at or near the source of such noise or sound.

5. DOGS

- (a) The sound made by a dog barking, howling or creating any kind of sound continually or sporadically or erratically for any period of time in excess of ten minutes is, in the opinion of Council, an objectionable noise.
- (b) It shall be unlawful for any person to harbour or keep a dog which shall make an objectionable noise by barking, howling or creating any kind of sound continually or sporadically or erratically for any period of time in excess of ten minutes.

6. MOTOR BOAT

- (a) No person shall launch a motor boat from any lands in the Municipality or remove a motor boat from any body of water onto any lands within the Municipality if that motor boat is equipped with an exhaust system that permits the exhaust gases from the engine to be expelled directly into the air and without first passing through water, unless the motor boat is equipped with a

muffling device which ensures that the exhaust gases from the engine are cooled and expelled without excessive noise.

- (b) No person shall use or operate a motor boat anywhere in the Municipality if that motor boat is equipped with an exhaust system that permits the exhaust gases from the engine to be expelled directly into the air and without first passing through water, unless the motor boat is equipped with a muffling device which ensures that the exhaust gases from the engine are cooled and expelled without excessive noise.
- (c) Notwithstanding anything contained in this bylaw to the contrary, the Council may, by Resolution, grant a permit for a race or regatta and in such event any motor boat competing in such race or regatta may be exempted from the provisions of this bylaw.

6.1 PERSONAL WATER CRAFT

- (a) The Council believes that the noises produced by the operation of personal water craft on Prospect Lake are objectionable and liable to disturb the quiet, peace, rest, enjoyment, comfort or convenience of individuals and members of the public in the vicinity of Prospect Lake.
- (b) No person shall make noise by operating a personal water craft on Prospect Lake.

7. HEAT PUMPS AND WATER PUMPS

- (a) The Council is of the opinion that the operation of a heat pump or water pump resulting in a sound level at a point of reception located in a Quiet Zone in excess of 50 decibels between 7:00 a.m. and 10:00 p.m. on any day, or in excess of 45 decibels between 10:00 p.m. and 7:00 a.m. of the following day is objectionable and liable to disturb the quiet, peace, rest, enjoyment, comfort or convenience of individuals or the public.
- (b) No person shall emit or cause, suffer or permit the emission of sound from the operation of a heat pump or a water pump resulting in a sound level at a point of reception located in a Quiet Zone in excess of:
 - i. 50 decibels between 7:00 a.m. and 10:00 p.m. on any day, or
 - ii. 45 decibels between 10:00 p.m. and 7:00 a.m. of the following day.

7.1 ENGINE RETARDANT BRAKES

- (a) The Council believes that the noise produced by the use of an engine retardant brake on a motor vehicle on any highway in the District of Saanich, is objectionable and liable to disturb the quiet, peace, rest, enjoyment, comfort or convenience of individuals and members of the public.
- (b) No person shall use an engine retardant brake while operating a motor vehicle on a highway in the District of Saanich except to assist in stopping or slowing down the vehicle in an emergency.

8. SHOPPING CENTRES

- (a) No person shall make, cause or permit to be made or caused continuous sound on any land within a Shopping Centre Zone, the sound level of which exceeds 58 decibels measured at a point of reception in a Quiet Zone any time between 9:00 a.m. and 10:00 p.m.
- (b) Sections 2 and 3 of this bylaw shall not apply to any continuous sound made in a Shopping Centre Zone between 9:00 a.m. and 10:00 p.m. which does not exceed 58 decibels measures at a point of reception in a Quiet Zone.
- (c) The provisions of this section shall not apply to
 - (i) the sound emitted from a heat pump or water pump, or
 - (ii) sounds caused by building or property maintenance or repair activities.

9. SOUND MEASUREMENT

A sound level measurement shall be sufficient for all purposes if it is carried out in accordance with the following:

- i) sound level measurements shall be taken with a sound level meter;
- ii) sound levels shall be measured on the A-weighted network and the slow meter response;
- iii) the sound level meter shall be complete with calibrator and windscreen and shall be operated in the following manner:
 - (a) Sound level meters shall be used and operated in accordance with manufacturer's instructions. The sound level meter shall be calibrated before and after readings have been taken.

- (b) When determining the sound level from a source, the ambient or background noise or sound level shall be established at the appropriate position and during the relevant period of time wherever possible before taking sound measurements from the source. No measurement should be attempted if the difference is 3 decibels or less.
- (c) Sound measurements shall be made at a distance of approximately 10 feet from any wall, buildings or other reflecting structures with the microphone appropriately oriented to eliminate as much as possible all reflected sound.

10. INTERPRETATION

Where any word or term or name or abbreviated word or abbreviated term or abbreviated name that is not defined in this bylaw, or, where any technical standard or abbreviated technical standard that is not set out in this bylaw, is used in this bylaw, such word, term, name, abbreviated word, abbreviated term, abbreviated name, technical standard or abbreviated technical standard shall be interpreted by reference to the definitions and technical standards last published by the Canadian Standards Association (C.S.A.), or by the American National Standards Institute (A.N.S.I.), or by the International Organization for Standardization (I.O.S.) or by the International Electro-Technical Commission (I.E.C.) or by the Society of Automotive Engineers (S.A.E.) or by the Machinery and Equipment Manufacturers' Association of Canada (M.E.M.A.C.) as the context of this bylaw and the case may require.

11. EXEMPT NOISE

The provisions of this bylaw shall not apply to:

- (a) The use, in a reasonable manner, of any apparatus or mechanism for the amplification of the human voice or of music in a public park or square in connection with any duly authorized public meeting, public celebration or other public gathering.
- (b) Any duly authorized parade or performance by a military or other band.
- (c) Any vehicle, machinery or equipment owned, leased or operated by the Municipality, the Police Department or any other public body or owned, leased or operated by a contractor engaged by the Municipality, the Police Department or any other public body while carrying out a public service or carrying out work in or on a highway, bridge, park, the Municipal Public Works Yard or other public infrastructure.
- (d) The sounding of a horn or other signalling device upon any vehicle boat or train where such sounding is properly and necessarily used as a danger or warning signal.

- (e) The erection, demolition, construction, reconstruction, altering or repairing of any building or other structure within the Municipality or the excavating of any street, highway, lane or any other land between the hours of 7:00 a.m. and 9:00 p.m. on each day except Sunday, or in the case of urgent necessity, at any other time during the week if such work is essential to the health, safety or protection of the public.
 - (f) Persons and their agents, servants, and employees or independent contractors under contract therewith and their agents, servants, and employees who are engaged in work of an essential or emergency nature and being done for the primary purpose of ensuring the health, safety or welfare of the residents of the Municipality.
 - (g) The use of bells or chimes on churches or any public body.
 - (h) Any delivery or collection service between the hours of 6:00 a.m. and 9:00 p.m. on each day except Sunday and any statutory holiday in any commercial, industrial or public zone as defined in the Zoning Bylaws of the Municipality, and between the hours of 7:00 a.m. and 9:00 p.m. on each day except Sunday and any statutory holiday in all other districts defined in the said Zoning Bylaw.
 - (i) Any sound or noise caused by a farming activity carried out in a reasonable manner on farmland between the hours of 7:00 a.m. and 9:00 p.m.
 - (j) Any sound or noise caused by a farming activity carried out in a reasonable manner on farmland between the hours of 9:00 p.m. and 7:00 a.m. if:
 - i) in the circumstances it is essential that the activity take place during such hours; or
 - ii) the activity must, in accordance with sound farming practice, take place between such hours.
 - (k) The use of a lawnmower between the hours of 8:00 a.m. and 9:00 p.m. on any day.
 - (l) Any sound or noise caused by blasting or the operation of drills, compressors or other equipment used to prepare land for blasting between the hours of 8:00 a.m. and 5:00 p.m. on each day except Sunday or a statutory holiday.
- 12.** The exemption set out in Section 11 (h) of this bylaw shall apply to the lands and premises known and described as:

Lot A, Section 7, Victoria District, Plan 34108 (450 Banga Place)

between the hours of 3:00 p.m. and 6:00 p.m. on Sundays and statutory holidays in addition to the days and hours set out in Section 11 (h).

13. Notwithstanding anything else contained in this bylaw, delivery or collection services to or from the lands and premises described as:

Lot 1, Sections 38 and 39, Victoria District, Plan 13078 except those parts thereof included within the boundaries of Plans 13902 and 18473 (Shelbourne Plaza)

shall be exempt from the provisions of this bylaw between the hours of 8:00 a.m. and 9:00 p.m. on each day except Sundays and statutory holidays and the exemption set out in Section 11 (h) of this bylaw shall not apply to these lands and premises.

14. A Peace Officer, the Manager of Inspection Services, a Bylaw Enforcement Officer, and any person duly authorized by the Municipality to measure sound levels are hereby authorized to enter, at any reasonable time, upon any property in order to ascertain whether the provisions of this bylaw are being obeyed.

15. **OFFENCE**

Any person who violates any provision of this bylaw is guilty of an offence and liable upon summary conviction to a fine of not less than \$150.

16. **REPEAL**

Bylaw No. 6017, being the "NOISE SUPPRESSION BYLAW, 1988" is hereby repealed except insofar as it repeals all or part of any other bylaw.

17. This Bylaw may be cited for all purposes as the "**NOISE SUPPRESSION BYLAW, 1993, NO. 7059**".

Includes Bylaw Amendments No. 7630, 7651, 7766, 7802, 8142, 8738, 9040 and 9215.

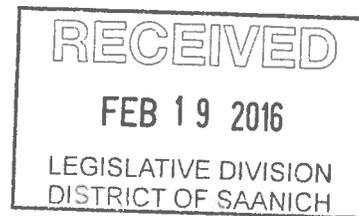
ClerkSec - 330 Hector Rd.

From: "Peter Delisle" [REDACTED]
To: <clerksec@saanich.ca>
Date: 2/19/2016 10:45 AM
Subject: 330 Hector Rd.

Hello Mayor and Saanich Councillors,

This email is an update to the letter we have submitted in the package of materials regarding Mr. Ari Franco's activities at 330 Hector Rd. The noise has been very bad this week because Mr. Franco has been pounding for hours everyday. The disturbance to our neighbourhood is intolerable and has been going on for over 3 years. My husband and I support the amendment to 11(e) of the "Noise Suppression Bylaw, 1993, No. 7059" (Noise Bylaw).

Karen De Lisle
Peter De Lisle
February 19, 2016



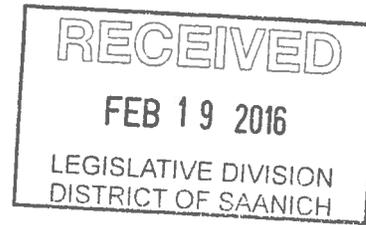
1220-20 Bylaw NOISE

From: Murrough [REDACTED]
To: <clerksec@saanich.ca>
Date: 2/18/2016 8:37 PM
Subject: Noise Suppression Amendment Bylaw

To Mayor Atwell and Councillors:

We support the Noise Suppression Amendment Bylaw, 2016, No 9374 that is long overdue. The persistent jackhammering from 330 Hector Rd has caused a lot of anxiety in our neighbourhood.

Murrough and Patricia O'Brien
230 Hector Rd
Victoria



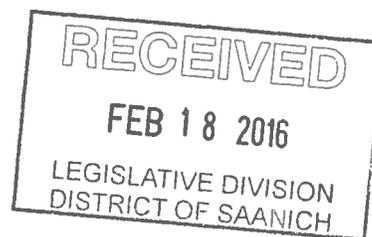
1220-20 Bylaw Noise

From: Peter Ramos
To: <clerksec@saanich.ca>
Date: 2/18/2016 12:19 PM
Subject: Noise Suppression bylaw 11e amendment

I am STRONGLY in favor of this amendment .

It is quite necessary to enable our rural neighbourhood to regain a sense of normalcy in terms of regulating heavy industrial mechanical noise originating from a residential acreage in our area.

Sincerely, Peter Ramos, 347 Conway Rd.



ClerkSec - Noise Suppression Bylaw Amendment - in support

From: "Margot Tubman" [REDACTED]
To: <ClerkSec@saanich.ca>
Date: 2/18/2016 11:00 AM
Subject: Noise Suppression Bylaw Amendment - in support
Attachments: Proposed Noise Suppression Bylaw amendment - background, photos, and support from neighbours - Feb 18 2016.pdf

Dear Mayor Atwell and Saanich Councillors,

I live at 355 Hector Road and am writing to support the proposed noise suppression bylaw amendment that is being tabled at Council on February 22nd.

We are all so grateful for the amendment and I **would really appreciate your support in passing it next Monday.**

[REDACTED]

In particular, I think you will find the map and photos (including Saanich GIS photos) speak volumes (forgive the pun) about the noise, and its far reaching impact on our neighbourhood.

I look forward to being at the Council meeting on Monday, February 22nd.

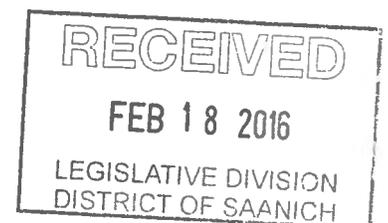
Thank you

Margot

Margot Tubman
Gordium Associates (Canada) Inc.
Tel: 250-472-8949
Fax: 250-472-8171

[REDACTED]

www.gordium.ca



From: Margot Tubman and Thomas Broeren

We live across the street from Mr. Franco at 355 Hector Road. Despite our distance from Mr. Franco's home, the noise and vibrations from the jackhammering and rock loading that takes place many days a week on his property travels to our home and disturbs us.

When it is warm, we cannot open our deck doors because of the noise when Mr. Franco is jackhammering, nor can we comfortably sit outside.

We work from our homes and when Mr. Franco is jackhammering during the weekdays, it is like working in an industrial zone. The constant background noise is fatiguing and creates low level tension and irritation.

We have never had conflict with Mr. Franco and have worked very hard at being both patient and tolerant despite how long the noise has continued.

A few weeks ago Margot went to see Mr. Franco and asked him how much longer he thought he would be doing this work. She explained that she was finding the noise too much. Mr. Franco was not rude but he was not able/willing to give an answer, although he did state that he intended to flatten the rock so that he could create a circular driveway and park equipment and vehicles on his property.

Margot Tubman and Thomas Broeren
355 Hector Road

From: Margot Tubman and Thomas Broeren – supplemental Feb 2016

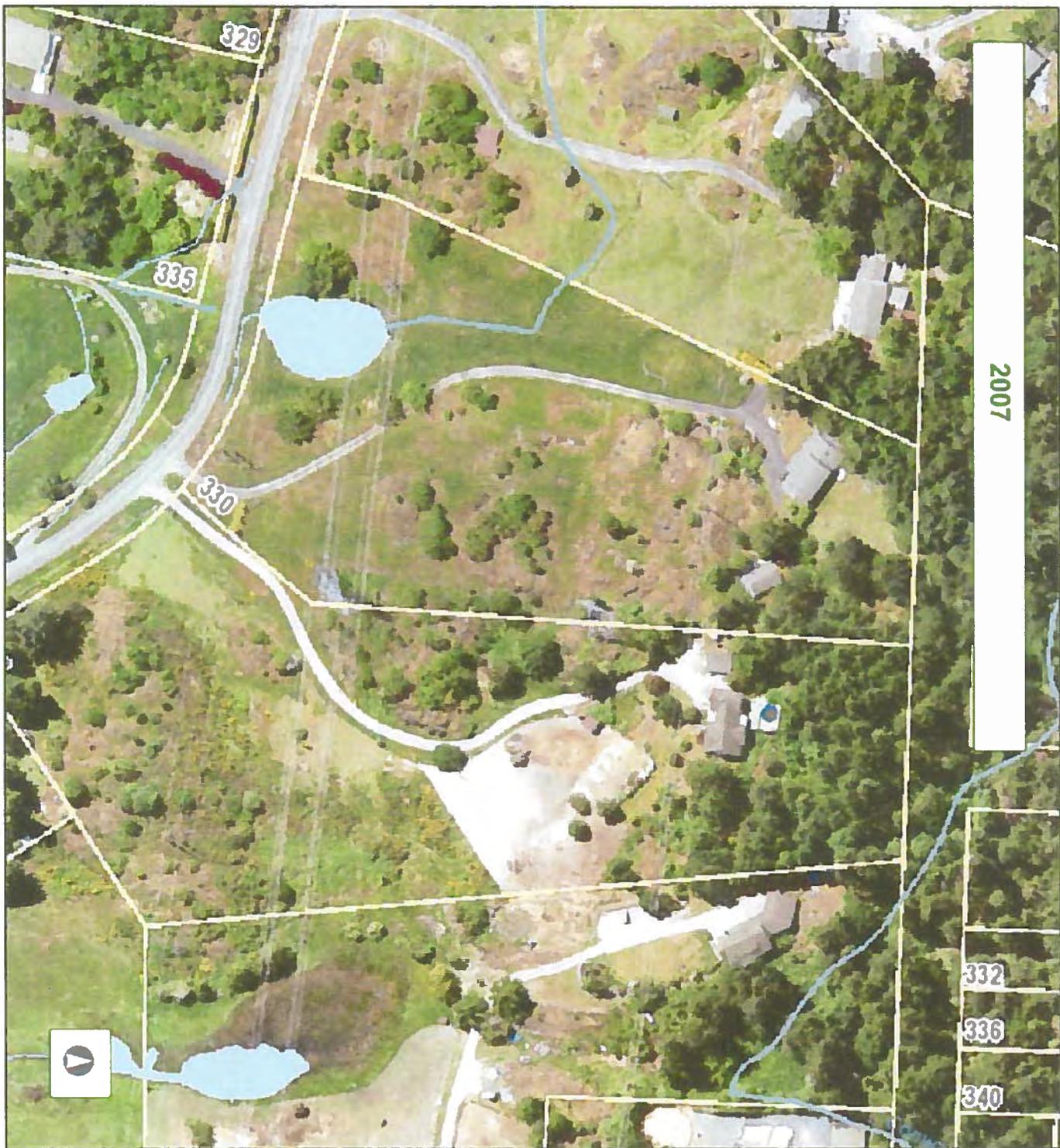
In May 2015 the Saanich Police issued a ticket to Mr. Franco for violating the noise bylaw. Mr. Franco disputed the ticket and while waiting for a court date, he stopped work on his property. The enormous sense of relief this brought is hard to explain. Suddenly, we could sit and think quietly as we worked at our desks. Our deck was usable all through the summer!

When the ticket did not proceed, Mr. Franco immediately began pounding and jackhammering again. We talked to him the week of February 8th about how hard this was for us and his other neighbours and asked if he would consider setting some kind of limited schedule. He refused. Mr. Franco was adamant and repeatedly and explicitly clear: he was operating within the law and we were being unreasonable. He pointed out that the law allowed him to jackhammer from 8 – 5 and, as he was not starting until 9:00, he was being reasonable. He refused to acknowledge that the noise could be heard at our property or was a profound disturbance in the neighbourhood. He refused to even speculate at how much time it would take to complete this work.

While the complaint moving forward to Saanich has been about the noise, Mr. Franco has also cut down and burned a stand of mature arbutus trees, has essentially denuded his property of greenery and has worked tirelessly to destroy the rocky outcroppings on his land. The Saanich GIS photos clearly show that the area looks like an industrial zone.

Since moving into his property, Mr. Franco has shown a persistent pattern of disregard for the environment and for the neighbourhood.

2007



Legend

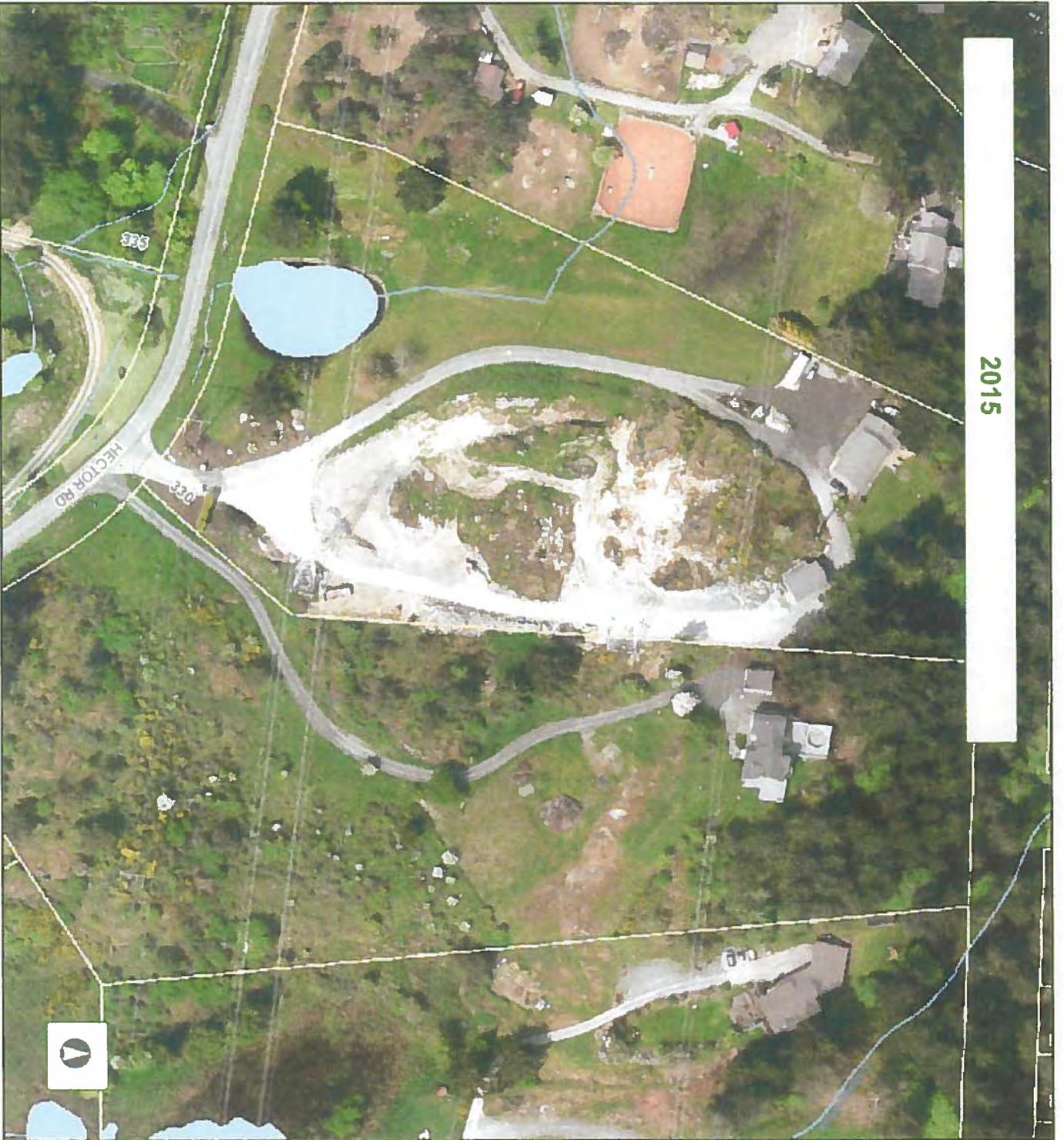
-  Building
-  Municipal Boundary
- Streets**
 -  Other
 -  Highway
 -  Major
 -  Collector
- Water Course**
 -  Man-made
 -  Natural
- Water Body**
 -  Parks
- Parcel**

Date Produced
2/17/2016 6:32:14 PM

1 : 1,669

This map is for general information purposes and should not be considered authoritative for any purpose. Accuracy, currency, and precision are not guaranteed.

2015



Legend

-  Building
-  Municipal Boundary
- Streets**
 -  Other
 -  Highway
 -  Major
 -  Collector
- Water Course**
 -  Man-made
 -  Natural
-  Water Body
-  Parks
-  Parcel

Date Produced
2/17/2016 6:15:22 PM

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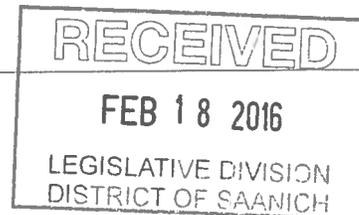
This map is for general information purposes and should not be considered authoritative for any purpose. Accuracy, currency, and precision are not guaranteed.





ClerkSec - Noise Suppression Bylaw Amendment

From: "Grant Beardshaw"
To: <clerksec@saanich.ca>
Date: 2/18/2016 10:58 AM
Subject: Noise Suppression Bylaw Amendment
CC: "Margot Tubman" <margot.tubman@gordium.ca>



Attn: Debra Hopkins:

Thank-you for sending us a copy of the proposed by-law.

My only remaining concern is that a "permit" will be available for a fee, that will allow him to continue jackhammering his "any other land".at his leisure.

Please have this reviewed before it goes to council

Thank-you for all your help.

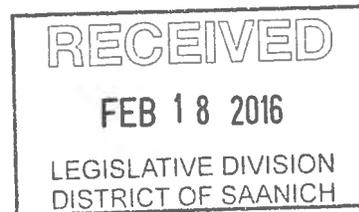
Grant and Debbi Beardshaw
310 Hector Rd
[Redacted]

ClerkSec - Expression of support for Noise Bylaw amendment

From: "Brenda Robson" [REDACTED]
To: <clerksec@saanich.ca>
Date: 2/18/2016 9:39 AM
Subject: Expression of support for Noise Bylaw amendment

I wish to express my support for the changes proposed (Feb. 15, 2016) by Legislative Services to the Noise Suppression Bylaw, No. 7049, which will clarify and tighten up the exemption section.

Brenda Robson
235 Hector Road
[REDACTED]



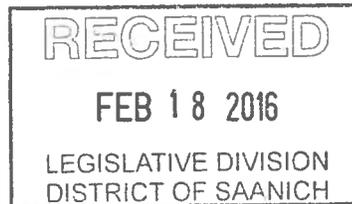
ClerkSec - by law amendment being considered on 22 Feb 16

From: "Tom Vincent" [REDACTED]
To: <clerksec@saanich.ca>
Date: 2/17/2016 8:48 PM
Subject: by law amendment being considered on 22 Feb 16
Attachments: Scan0133.pdf

I understand that I may provide a written submission related to the by-law amendment being considered by Saanich Council on February 22, 2016. Thank you for that opportunity. I have attached a letter that I wrote earlier on this matter and which I copied to Mayor Atwell and Counsellor Plant. I would like to treat it as my written submission to Counsel for its consideration on the 22nd.

Thank you,

Tom Vincent



saa1601

February 11, 2016

Dear sir or madam:

I am writing to confirm information that I understand you have received from other sources concerning the noise being generated on 330 Hector Road. The noise is principally from a hydraulic jack hammer backhoe attachment and has, with a brief respite, been taking place all day most days for two years. It is caused by the resident at 330 Hector Road removing large amounts of the main geographical feature of his property – a large rock hill.

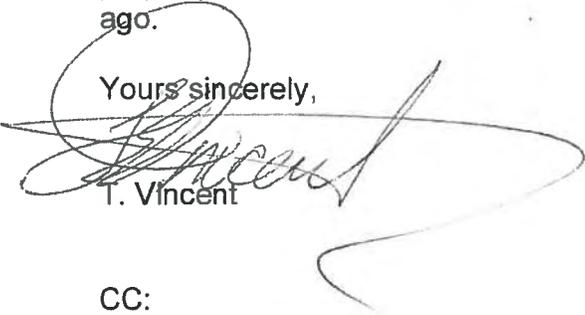
The noise level this generates is difficult to communicate clearly, so I urge you to visit the neighbourhood to experience it yourself and then imagine being exposed to it all day for two years to date, with no end in sight. It is loud, virtually non-stop, machine-gun-like pounding that can be *felt* through the ground as well as heard. It prevents neighbours' from enjoying their property in any semblance of tranquility. For the closest of those neighbours, this is the case in-doors or outside. It is a sanity-depriving, soul-destroying pounding that occurs from eight to eleven hours per day, five or six days per week.

I appreciate that maintenance and improvement of property often requires generation of construction noise for brief periods. The noise I now describe, however, has been going on for two years. Any attempt to pass this off as construction or improvement of a driveway or as landscaping is a mockery of Saanich Council, its by-laws and surrounding neighbours.

Were convicted criminals or prisoners of war to be exposed to noise of this volume, duration and nature it would be rightly judged to be cruel and unusual punishment. I do not make this observation as rhetorical embellishment; it would be.

The Municipality has a responsibility to take what measures are necessary to stop this and to do so immediately. Failure to do so makes a mockery of municipal government. If a municipal counsellor or senior municipal employee lived anywhere near this property, I am confident that this incessant pounding would have been halted months ago.

Yours sincerely,



T. Vincent

CC:

His Worship, Richard Atwell, Mayor of Saanich (mayor@saanich.ca)
Counsellor Colin Plant (colin.plant@saanich.ca)

ClerkSec - Bylaw No. 7059 - Noise Suppression Bylaw Amendment

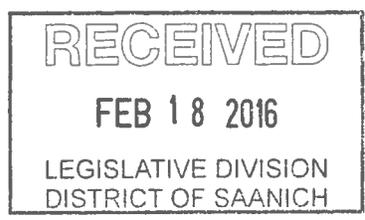
From: [Redacted]
To: <clerksec@saanich.ca>
Date: 2/17/2016 5:59 PM
Subject: Bylaw No. 7059 - Noise Suppression Bylaw Amendment

I am a resident at 250 Hector Road. I support the subject bylaw amendment.

Thank you.

Leona Schafer

[Redacted]



1220.20 Bylaw. Noise

From: georgiaramos
To: <clerksec@saanich.ca>
Date: 2/17/2016 5:52 PM
Subject: Amendment to Saanich noise suppression by law

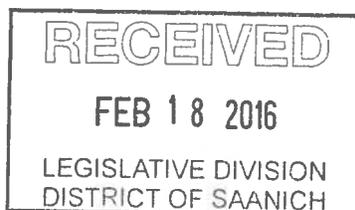
Dear Mayor and Councilors,

I live at 347 Conway Road. I am writing to you to voice my support for the amendment to 11e of the noise suppression bylaw being presented for passage on February 22.

Passing this amendment would, according to Saanich's lawyers, clarify exemptions to the noise bylaw. As it is currently worded, Section 11e of the noise suppression bylaw makes it impossible for Saanich bylaw officers to enforce peace and quiet in our neighborhood. If this bylaw is not passed, we will continue to endure the constant rock hammering that has plagued all of us for years.

Please help us by passing the amendment

Yours,
Georgia Ramos



ClerkSec - Noise Suppression Bylaw Amendment

From: "Rob Hirschfield" [REDACTED]
To: <clerksec@saanich.ca>
Date: 2/17/2016 5:08 PM
Subject: Noise Suppression Bylaw Amendment

To whom it may concern,

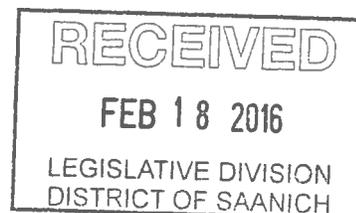
I have read the proposed amendment to clause 11E of the noise suppression bylaw and fully support the adoption of this amendment.

My interest in this amendment is due to recent experience in my neighbourhood (Hector Road) where very loud noise has disrupted the enjoyment of our property for a number of years and often continuous for many hours. This noise was from a neighbour doing rock removal with an excavator-mounted jack hammering device. The noise was loud enough to make working in the garden unbearable and conversation on our outdoor deck difficult. There were many evenings when relaxing inside with exterior windows and doors closed was disrupted to late in the evening. The rock removal was not tied to permitted work and was not for construction purposes.

I understand the need for the exemptions in Section 11E as proposed and enthusiastically encourage the council to adopt the amendment which will eliminate from the exemptions general rock removal that isn't necessary for the listed and permitted construction.

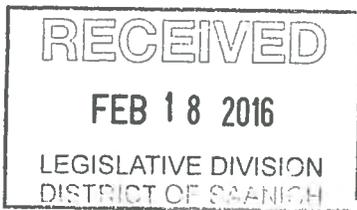
Sincerely,

Rob Hirschfield, homeowner,
4400 Liberto Road
Saanich BC



From: Liesl Fulton
To: <clerksec@saanich.ca>
Date: 2/17/2016 4:41 PM
Subject: in support of the noise bylaw ammendment for council meeting february 22nd,2016

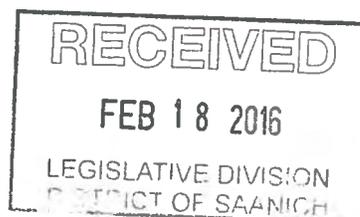
To Members of Council and Mayor Atwell,
my name is Liesl Fulton and my husband is Timothy Dixon. As i sit at my computer writing this letter to you, i feel vibration in my chest and i cannot hear the permanent ringing in my ears. (given to me by jackhammering in the last 2.5yrs since i moved here) The jack hammering of rock at 330 Hector road is so loud in my house that i have the above effects. People who i talk to on the phone can hear it on the other end while i am inside with doors and windows closed. outside is unbearable and even the word unbearable does not describe the body piercing hammering. We thank you for trying to help this tortured neighbourhood to close a loophole that is being abused along with all who live in the affected area. We both are in full support of the bylaw amendment that is proposed for february 22nd, 2016 and urge you to pass it as quickly as is possible. We are but two in a large complaint that saanich has thankfully heard. The loop hole was undiscovered from mid may 2015 (a noise ticket was issued and the hammering stopped)until early February 2016. (when the loophole was discovered) we had our first enjoyable summer since we moved here in august 2013. Winter time sees the jackhammering continue. We cannot use our property at all and our home offers no area to be free of the noise. i cannot imagine that anyone would do this to others, especially when so many have complained. We in the Hector/Conway roads have been tortured by industrial jack hammering for hours on end since february 3rd, 2016 when the loop hole was discovered by the owner of 330 hector road. The years of jackhammering prior to may 2015 go back so far that i hope it will serve to prove the necessity of this ammendment. we are unable to work or be outside on our property without severe discomfort and our dream farm is shattered- literally. we cannot use our home inside or out and are desperate for assistance. thank you in advance for passing this bylaw ammendment.
Liesl Fulton and Timothy Dixon



ClerkSec - February 22nd Council Meeting

From: Sandy Fulton [REDACTED]
To: ClerkSec <clerksec@saanich.ca>
Date: 2/17/2016 4:06 PM
Subject: February 22nd Council Meeting
Attachments: Ari Impact Statement:Formal Complaint Letter.rtf

Dear Debra.....thank you for the information you have provided us with today regarding the proposed Noise Suppression Bylaw to be tabled on February 22nd's Council meeting. We appreciate the time and effort you and your colleagues are putting into this troublesome issue. The person in question continues to deconstruct his property each day during the hours permitted under the present Bylaw. The information you have provided informs us of the current "loophole" Mr. Franco has used as he continues to work with no regard for others. We are grateful to have this information. I wish to attached our original Impact Statement and Formal Complaint, dated February 8, 2016, in the hope that it "will form part of the public record that will be published in a meeting agenda". We are hopeful that the new Noise Suppression Bylaw will be approved by Council via the correct process in the very near future, putting an end to this intolerable and ongoing community concern. Best regards, Sandy and Monty Fulton



February 8, 2016

Corporation of the District of Saanich
770 Vernon Avenue
Victoria, B.C.

To Whom it May Concern:

**IMPACT STATEMENT/FORMAL COMPLAINT REGARDING
PROPERTY AT 330 HECTOR ROAD, SAANICH, B.C., V9E 2C3
OWNED AND OPERATED BY MR. ARI FRANCO
BYLAW NO.7059 - FOR ABATEMENT AND CONTROL OF NOISE IN THE
MUNICIPALITY OF SAANICH**

My husband and I, Sandra J. and James M. Fulton wish to provide you with an Impact Statement and subsequently a Formal Complaint regarding the above property in Saanich. While we are of the understanding that this property and it's owner(s) are currently under review by persons duly authorized by the Municipality which, to date seems to have had little to no affect on Mr. Franco's activities, we feel strongly that the entire neighbourhood of Hector, Conway, Ivor and Liberto Roads are being held hostage by this person's refusal to consider the needs of others during the past SIX years.

Please bear with me while I include some historical perspective to help inform you of the past and now current situation. While we do not live on Hector Road we have been intimately involved in the area for many years and with the multiple problems associated with this person's activities. [REDACTED] owns and operates a licensed Equestrian Facility adjacent to Mr. Franco's property; we keep our horses on [REDACTED] and because of this we are present [REDACTED] on a daily basis.

[REDACTED] had personal contact with Mr. Franco [REDACTED] on a number of issues.

Please know that our intention is not to make the focus of this issue as an argument between two neighbours. [REDACTED]

[REDACTED] Our intention is to support all of those whose lives are constantly disturbed, a disturbance likely to occur on a SIX day a week basis. Section 2(a) of Bylaw No. 7059 clearly states "No person shall make or cause to be made any noise or sound in or on a highway or elsewhere in the Municipality which disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort

or convenience of the neighbourhood or of persons in the vicinity thereof”.

Clearly, this is not the case as Mr. Franco has recently been “duly authorized” by the Municipality of Saanich to continue to break up his rocky land, using an industrial backhoe with a rock picker/massive jack hammer attached, an industrial excavator along with industrial sized vehicles to move said rock, six days a week between the hours of 7:00am and 7pm, with the exception of Sundays. The noise from these activities is unreasonable and in our opinion outrageous causing concern and stress to those forced to be in close proximity. This man carries out his rock picking privately with self owned equipment and is not engaged by the Municipality, or any other public body, contractor, Municipal Public Works Yard or other public infrastructure. (See Bylaw 7059, Exempt Noise, section 11(c). We would be most interested to be informed as to whether Saanich has considered appropriate sound level metering as per section 14 of the Act as certainly the noise pollution created for much of the neighbourhood is easily capable to causing an auditory sensation plus increasing levels of stress and possible illness from sustained noise: Bylaw 7059, section 1(k).

We also wish to mention Section 3, Private Property, of the Bylaw. i.e. “No person, being the owner of occupier or being in possession or control of real property shall suffer or permit any person to make or cause to be made any noise or sound therein or thereon which disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort or convenience or the neighbourhood or of persons in the vicinity thereof.” Once again.....this does not seem enforceable by Saanich and we would like an explanation as to why not. To the best of my knowledge Mr. Franco does not operate a “farm” on his property and is engaged in other activities that would likely not be “in accordance with sound farming practice”. We are also aware that this man has applied for a blasting permit and would be appalled if he has managed to convince the Municipality that his activities, including constant drilling and the sustained use of other heavy equipment, are being used to prepare the land for blasting.

On a more personal level:

- shortly after Mr. Franco moved into his property, survey stakes appeared encroaching on the property at 340 Hector. A survey had already been arranged by Mr. Franco and resulted in the new property line moving 40-50 feet [redacted] which as it turned out was the correct position unknown to anyone at that time except for Saanich. There was no communication [redacted] of his intention or of the eventual outcome. [redacted]

- heavy equipment is stored in and around the established Hydro towers on top of the rock on Mr. Franco's property. Is this still appropriate and safe given the huge amount of rock that has been removed from the site in the past 6 years?

- on more than one occasion Mr. Franco stated clearly to myself and to my husband that he didn't want any problems with his neighbours...somewhat unusual, and raised a red flag for us....had something happened in his previous location?

- Mr. Franco has approached me on several occasions [redacted]. Once it was regarding manure “laying around on the property leaching into his pond”. I made

it clear that horse waste is picked up daily and placed into a professionally built manure hopper and also removed en-masse on a regular basis. At that time I suggested a meeting [REDACTED] which he categorically refused and threatened to "take action regarding a number of issues to do with living next to a horse property". He would accomplish this by "going to Saanich" and dealing only with the "people he knows". I certainly hope this is not so. He also informed me at that time that I should be careful as he was a "mean and nasty man who could and would do whatever he wanted to on his property regardless of the opinions of others." I now avoid Mr. Franco at all costs.

- multiple concerns for safety for myself and others using Hector Road whether in our vehicles or on horseback.
- VERY, VERY concerned for the well being and safety of the children, adults and equines who live on and come to 320 Hector Road for equine lessons. This man shows no regard for any safety issues and operates his machinery at "full bore" when horses are being ridden by both children and adults during riding instruction by a fully qualified Canadian Equestrian Federation instructor at her Business licenced facility.
- During the past three years we have personally witnessed Mr.Franco removing numerous protected trees (i.e Arbutus) without permits to do so. He continues, on a daily basis, to pick large quantities of rock creating boulders, at this time adjacent to the front of his house, has clearly already altered the grade of the land and continues to do so. I would assume that permits are required by a home owner for any of these types of activities.

As stated at the beginning of our letter. We, along with the neighbourhoods of Hector, Conway, Ivor and Liberto Roads and surrounding areas, have been heavily impacted by Mr. Franco's actions and complete disregard for any needs other than his own. He has, to the best of our knowledge, never offered any information to others regarding his intentions or plans for his land, or for how long he plans to continue this unacceptable situation. Had he done this it may indeed have negated any future problems to begin with. Instead, he continues to intimidate this area with ongoing, daily noise levels that are totally overwhelming. We would be pleased to meet with anyone at Saanich and know that there are a number of you who are involved already in this dreadful situation. We challenge anyone reading this letter to come to [REDACTED] 320 Hector Road to witness Mr. Franco working on his machines and then to consider whether any one of you would be prepared to put up with this kind of activity and behaviour in your own neighbourhood. We very much doubt you would. We look forward to receiving your response(s) to our letter and to being included in further appropriate discussion regarding this difficult rural community issue.

Respectfully,

Sandra J. Fulton
James M. Fulton

cc: Mayor Richard Atwell
Colin Plant, Saanich Councillor
Chris Nation, LLB, Director of Finance
Jagtar Bains, Developmental Co-ordinator
Carrie McPhee, Director of Legislative Services
Graham Barbour, Manage, Inspection Services
Derek Archer, Business Licences
Paul Thorkelson, Chief Administrative Officer
Ole Jorgensen, Bylaw Enforcement Officer



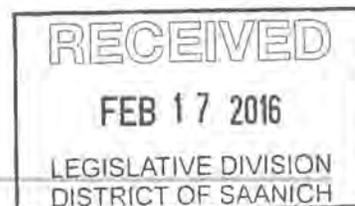
The Corporation of the District of Saanich

Mayor
Councillors
Administrator

Council
Administrator
Media
Feb 17/16 BA

Supplemental Report

To: Mayor and Council
From: Harley Machielse, Director of Engineering
Date: 2/16/2016
Subject: Webcasting



PURPOSE

The purpose of this report is to provide further information on options to implement live webcasting with supporting technology.

BACKGROUND

On December 14, 2015, Council considered a report that recommended a Council Chamber renovation that would implement live webcasting using multiple cameras. Feedback from the meeting indicated the overall recommended cost was higher than anticipated and further information on additional options was desired. After discussion, Council motioned "that the item be postponed for further discussion at a future Council meeting."

DISCUSSION

This report specifically addresses a path forward to implement live webcasting with supporting technology without the complexity of Chamber renovations. Council indicated at the meeting on December 14, 2015, that additional information on seating layout, heritage aspects, costs, and overall finishing would need to be explored. A separate Council Report has been prepared to address a process for Chamber renovations.

Within the region live webcasting is offered with a wide range of media interaction. The platform for live webcasting has a multitude of options that may include: a single camera that displays all of Council or multiple cameras that capture each speaker; presentation material such as a video or powerpoint displayed directly on the webcast; and the ability to archive webcasts on the website immediately after the meeting or the next day. Although these are the most discussed options, there are a host of other functions, such as video conferencing, that are available when considering live webcasting. As the options increase in flexibility and interaction, additional technology and operating resources are required to support the media interconnection.

CM
F. 1

Two options have been prepared for Council's consideration, each with a varying degree of public experience. A summary of each option and their associated cost is shown in the table below.

	Option 1	Option 2
Number of Cameras	Single	Multiple
Webcast Video Capture	Single Viewpoint of Council	Multiple Viewpoints of Council & Speakers
Archiving Webcast to the Website	After Meeting	After Meeting
Presentation material displayed on Webcast (video & powerpoint) Operator required	Yes	Yes
Audio System Upgraded	Yes	Yes
Cost (Appendix A)	\$115,400	\$156,500

For both options an Operator is required to be on hand for technical support as well as the operation of the live webcast. The Operator will be responsible for the production of the webcast including switching between the video camera to the presentation material, operation of multiple cameras (Option 2), and syncing the agenda to the webcast for archiving after the meeting.

Lighting upgrades to support live webcasting have been removed from the original recommendation and included in a 2016 Engineering Facilities Capital project to convert the Municipal Hall lighting to LED. Upgrading of LED lighting for the Chamber will benefit from the larger Hall LED conversion project. In addition, challenges around the electrical panel capacity may be mitigated through energy savings. The LED lighting project is expected to be implemented in Q3 of 2016.

In order to minimize inefficiencies that may occur if Council decides to make Chamber renovations and Council layout changes in the future, wireless technology is recommended to be used where possible in both options.

As discussed in the previous report, Phase II will involve the purchase of a web based agenda management system designed to provide a seamless experience for the user to access agendas, reports and the webcast. This application will facilitate Legislative Services in the electronic creation, distribution, on-line posting and tracking of agenda documents and resulting decisions. The application will also facilitate electronic organization, storage and retrieval. Although initially considered as part of Phase I, due to resource constraints, the purchase of an agenda management system is expected in late 2016.

FINANCIAL IMPLICATIONS

A webcasting budget of \$150,000 was set aside in the 2015-2019 Financial Plan and the proposed 2016 – 2020 Financial Plan recommends \$50,000 for an agenda management system in the Information Technology Capital budget. Should Option 2 be supported, the additional \$6,500 needed will be incorporated into the 2016 Information Technology Capital budget from reallocations from other projects given the small value.

The ongoing operational increase of \$47,000 has been included in the draft 2016-2019 Financial Plan as an ongoing resource request.

SUMMARY

Implementation of live webcasting is seen as one of many important tools to enhance the experience and transparency between Council and the public. Staff have recommended two options that essentially differentiate between a single camera with one viewpoint of Council to multiple cameras with several viewpoints of Council and speakers. Both options can be implemented within the budget approved by Council in the 2015-2019 Financial Plan.

RECOMMENDATION

That Council approve Option 1 or 2 to implement live webcasting.

Approved by



Harley Machielse
Director of Engineering

HM/hm

Attachments

copy Carrie MacPhee, Director of Legislative Services
Laura Ciarniello, Director of Corporate Services
Valla Tinney, Director of Finance

CAO COMMENTS:

I endorse the recommendation of the Director of Engineering.

A handwritten signature in black ink, consisting of a large, stylized 'P' followed by several overlapping loops and a long horizontal stroke extending to the right. The signature is written over a thin horizontal line.

Paul Thorkelsson, CAO

Appendix A – Cost Estimate

Item	Description of Work	Option 1	Option 2
1.0	Live Webcasting and Supporting Technology		
1.1	<i>Webcasting system infrastructure - camera(s), control centre, and wiring</i>	\$19,000	\$53,500
1.2	<i>Webcasting system software - indexes the agenda to the streamed video and integrates with the Saanich website for both live streaming and archive on-demand viewing.</i>	\$6,500	\$6,500
1.3	<i>Audio system - supports webcasting and improves Chamber media interface. Provides digital audio recording capability.</i>	\$59,000	\$59,000
1.4	<i>On-site webcast production booth</i>	\$1,000	\$3,000
1.5	<i>Meeting management system – Ability to manage speaker's queue and microphone control.</i>	\$2,900	\$2,900
	Sub-total	\$88,400	\$124,900
2.0	Documentation and Training	\$3,000	\$4,600
3.0	Detailed design and tender preparation	\$10,000	\$10,000
4.0	Contract Administration	\$5,000	\$5,000
5.0	Contingency (10%)	\$9,000	\$12,000
	Total	\$115,400	\$156,500

6.0	Annual operating		
6.1	<i>Technical Staff Support</i>	\$21,000	\$21,000
6.2	<i>Web streaming service fees</i>	\$15,000	\$15,000
6.3	<i>Audio Video maintenance fees</i>	\$6,000	\$6,000
6.4	<i>Equipment service fees (years 3 – 10)</i>	\$5,000	\$5,000
	Total	\$47,000	\$47,000

1410-04
Report –
Engineering

xref: 1200-20
Webcasting

COUNCIL CHAMBER RENOVATIONS AND WEBCASTING

Report of the Director of Engineering dated December 7, 2015 recommending that Council approve the renovations outlined in the report at a total estimated cost of \$487,450; approve an increase in the 2016 Operating Budget of \$56,000 for ongoing operational costs of the new system; and approve an appropriation from the 2015 Operating Budget to cover costs of relocating meetings during the course of construction.

The Chief Administrative Officer stated:

- There has been no significant investment in Council Chambers in 50 years.
- Improvements have been proposed to enhance future use.

The Director of Engineering stated:

- Prior to implementing webcasting, it is necessary to confirm the configuration of the Council Chambers is optimal; the pilot project design of Chambers was positively received by Council and members of the public.
- Providing live and archived webcasting allows citizens to easily watch Council meetings from the comfort of their home and promotes openness and transparency.
- It will be important to preserve or replicate the heritage character wherever possible.
- Some of the proposed features of the upgraded Council Chambers include a raised and accessible platform for Mayor and Council, heritage millwork for desks, a speaker's podium with side arm to provide seated presentations and wheelchair access, and refinishing of the wood paneling.
- The proposed renovations can be built upon in later phases.

MOVED by Councillor Haynes and Seconded by Councillor Derman:

"That Council:

1. **Approve the renovations outlined in the report of the Director of Engineering dated December 7, 2015 at a total estimated cost of \$487,450 to be funded from:**
 - a. carry forward of \$150,000 for webcasting;
 - b. appropriation of \$250,000 from the 2015 Facility Operations budget; and
 - c. allocation of \$87,450 from the 2016 Facility Operations budget.
2. **Approve an increase to the 2016 Operating Budget of \$56,000 for ongoing operational costs of the new system.**
3. **Approve an appropriation from the 2015 Operating Budget to cover the costs of relocating meetings during the course of construction."**

Councillor Haynes stated:

- Although this is a large amount of money, it is a worthwhile investment and will achieve the objectives.

Councillor Derman stated:

- Webcasting is needed; it allows residents to watch Council meetings at their leisure and during election time, it will assist residents in making informed decisions.
- This is a progressive change that respects the heritage value.

- These are estimated costs; there may be cost savings recognized during the tendering process.

Councillor Wergeland stated:

- It may be preferable to have the podium at the side of the room; its' current position in the middle of the room obstructs the public's view.

In response to a question from Council, the Director of Engineering stated:

- The podium may still obstruct the public's view if it is relocated to the side of the room.

Councillor Wergeland stated:

- It may be difficult to approve the motion before seeing what is remaining in the 2015 budget.

Councillor Sanders stated:

- Webcasting is supported; she has concerns with the lack of detailed plans and the high estimated costs.
- The heritage review should take place at the beginning of the process to allow for input.

Mayor Atwell stated:

- He is a strong proponent for webcasting; this is a worthwhile investment but may not be good value for taxpayers.
- There are financial components that could be reviewed for cost savings.

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

- Council could pass a motion to hold a meeting outside the municipal boundary during the course of construction; staff are exploring options to relocate the meetings during construction.

MOVED by Councillor Brice and Seconded by Councillor Sanders: "That the item be postponed for further discussion at a future Council meeting."

Councillor Brice stated:

- Construction could take place during the time of year when there are fewer meetings; more detail is required on the cost of operating the new system.

Councillor Murdock stated:

- More information would be appreciated; the estimated costs are high.
- Options could be provided in an effort to reduce costs.

Councillor Brownoff stated:

- More detail is needed and options explored for the design; the placement of staff needs to be reconsidered.
- The ongoing cost of operating the new system is a concern.

Councillor Derman stated:

- Having more detailed information is desirable; costs could be reduced by scheduling construction when there are fewer meetings.

- A postponement will give staff time to prepare options and look for potential cost savings.

Councillor Wergeland stated:

- Other options for relocation of meetings during construction, such as churches, could be inexpensive.

In response to a question from Council, the Director of Engineering stated:

- The placement of the new TVs would be the same as the current placement.

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

- Any funds not allocated at the end of the year, would be moved into the surplus funds account.
- A motion could be made to allocate \$250,000 for this item pending a decision being made at a later date.

In response to a question from Council, the Director of Engineering stated:

- The estimate provided is a Class C detailed estimate with a 10% contingency applied to it.

**The Motion was then Put and CARRIED
with Councillor Plant OPPOSED**

MOVED by Councillor Plant and Seconded by Councillor Brownoff: "That staff be requested to prepare a report outlining options for the layout of Council Chambers and options for reducing costs."

Councillor Plant stated:

- The estimated costs are too high; clarity is needed for the estimated costs.

Councillor Murdock stated:

- The estimate is most likely realistic; there may be ways to reduce costs by eliminating items that are not essential.

Councillor Sanders stated:

- More details in relation to webcasting and the location of staff would be appreciated; the renovations should ensure that the Chambers is accessible.
- Consultation needs to take place with the Saanich Heritage Foundation; a report with a range of detailed options would be appreciated.

Councillor Derman stated:

- The report should include options and the strengths and weaknesses of each option; the estimated costs are higher than was anticipated.
- There may be various approaches to constructing a functional Council Chambers.

Mayor Atwell stated:

- A needs analysis should be considered as part of the report.

Councillor Wergeland stated:

- Council needs to further consider what is essential; options for the configuration of the room would be appreciated.

Councillor Haynes stated:

- There may be ways to reduce costs including considering whether a staff person is needed to run the new system and inexpensive locations to hold meetings during construction.

The Motion was the Put and CARRIED

In response to a question from Council, the Chief Administrative Officer stated:

- It is possible to rent the equipment to return, on an interim basis, to the previous layout with a raised dais.

**MOVED by Councillor Haynes and Seconded by Councillor Derman:
"That staff obtain a cost estimate for Council consideration to return, on an interim basis, to the previous layout with a raised dais."**

Councillor Brownoff stated:

- There were times that the microphones did not work in the previous set up.

Councillor Brice stated:

- A different configuration at ground level may also be considered.

Councillor Sanders stated:

- Options for configuration of the Chambers should be provided in the report from staff.

Councillor Plant stated:

- Other options for configuration should not be considered; the raised dais is the option that has been recommended in the new design of the Council Chambers.

Councillor Haynes stated:

- A horseshoe configuration at ground level should be considered.

Mayor Atwell stated:

- The podium will block the view if Council is sitting at ground level.

Councillor Brice stated:

- It is important to accomplish as many of the features that are recommended at a lower cost.

Councillor Derman stated:

- Staff should be tasked with putting their efforts into the final design; if the cost to return to the previous configuration is low, the motion would be supportable.
- It was a better design that allowed the public and Council to have a better view.

- There may be ways to reduce costs by looking at the technology and webcasting.

In response to a question from Council, the Director of Engineering stated:

- The cost to return the Council Chambers to the previous set up, on an interim basis, would be approximately \$2,000.

**The Motion was then Put and DEFEATED
with Mayor Atwell and Councillors Brice, Brownoff, Sanders and
Wergeland OPPOSED**

1410-04 Eng
xref: 1200-20

Cncl Dec 14/15



The Corporation of the District of Saanich

Mayor
Councillors
Administrator

Council
Administrator
Media
Dec 14/15 BZ

Report

To: Mayor and Council
From: Harley Machielse, Director of Engineering
Date: 12/7/2015
Subject: Council Chamber Renovations and Webcasting

PURPOSE

The purpose of this report is to recommend a Council Chambers renovation that implements live webcasting of Council meetings, while enhancing the ability for Council interaction and the experience between Council and the public.

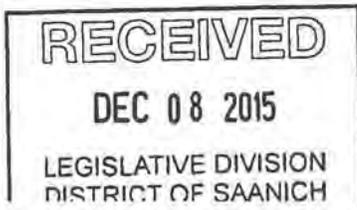
BACKGROUND

The municipal Council Chambers has not undergone a significant update in 50 years. The Council seating arrangement and interior heritage elements have largely been preserved and unchanged. Some minor interior updates to the carpet, chairs and lighting were completed in the 90's. Installation of new audio and video components were included just over a decade ago but due to advances in technology, they are considered out of date.

The implementation of webcasting is identified as a priority by Council in both its Strategic and Financial Plans. Council approved an amount of \$150,000 for the project during the budget deliberations earlier this year.

DISCUSSION

Many municipalities have implemented live webcasting of their Council meetings in an effort to promote openness and transparency, improve citizen engagement, and allow greater access to the decision-making process. Residents, business owners and interested stakeholders don't always have the time or the ability to attend Council meetings due to a variety of circumstances including the many demands that impact their lives. Webcasting not only provides an easy way for anyone to watch a live Council meeting but it also provides the option to watch at later date and time that is convenient.



Linking the recording of Council meetings to the agendas gives residents the flexibility to focus their interest on a particular item without having to watch the entire meeting. This convenience and flexibility has made webcasting a popular option for communicating the business items and decision making of local government.

As the largest municipality on Vancouver Island and in the Capital Region, it is important for Saanich to ensure that this additional method of communication is in place. Local governments utilizing webcasting within the Capital Region include Central Saanich, Colwood, Esquimalt, North Saanich, Sooke, Victoria and the Capital Regional District. Further up the Island the municipalities of Campbell River, Comox, Courtney, Nanaimo, North Cowichan and Parksville offer this service.

Prior to implementing webcasting it was necessary to confirm that the current configuration of the Council Chambers was optimal for this new technology, for the interaction of Council members, and for the interaction between Council and the public. Through this process Council has determined that an alternate layout is preferred which results in some needed and overdue renovations. The proposed renovations for the Council Chambers are broken down into three elements that include live webcasting and supporting technology, rejuvenation of the Chambers, and updating the video and meeting management system.

Chambers Elements

Live Webcasting and Supporting Technology

The webcasting system would be supported by four cameras placed in strategic locations with the ability to capture the Mayor, Councillors, staff, and podium speakers.

- Recording equipment that controls the multiple camera angles and produces frames that are of high quality (lighting, sound and picture).
- Software application that allows the video to be indexed to the agenda so that users can view specific portions of the Council meeting with accessibility to the related reports.
- Microphone and audio systems that will be integrated with the video system so that no discussion is unheard.
- Integration of the streamed video to the Saanich website for both live streaming and archived on-demand viewing.
- Digital audio recording capability.
- Improved lighting (LED) to support webcasting and enhance meeting interaction.
- On-site webcast production.
- Trained personnel to manage the cameras and sound of the live recording to ensure best representation of the meeting from a video view point.

Council Chambers Rejuvenation

Feedback from the pilot Council Chambers reconfiguration that was in place from August until November indicated a strong support for the new layout. Generally the feedback indicated the new layout provided the public, as well as Council, an improved ability to interact with one another and a better overall meeting experience.

The proposed alterations to the Chambers were considered using a citizen perspective, a heritage perspective, and a phased approach perspective.

- Raised and accessible platform for both Mayor & Council.
- Heritage millwork for Council and staff desks with built-in monitors, new microphones and wiring for power.
- Speaker's podium with side arm to provide seated presentations and wheelchair access.
- Removal of unused centre row flood lights.
- Refinishing of the wood paneling.
- Replacement of the flags and new Royal pictures.
- New desk chairs.

Video and Meeting Management Systems

The current technology provides minimal quality for presentations and often Council, staff and citizens struggle to read and interpret presentation details. It is recommended that a new system be provided to improve the clarity of the information being presented and that a meeting management system be integrated to assist in the management of the meetings.

- High quality video system (TV's and desk monitors) screens to ensure all present at a Council meeting can view presentations.
- Meeting management system to assist in setting a speakers queue and control of the microphones.

The majority of the elements described above are integrated with one another to provide a good quality product that is cost effective and can be built upon in future phases. Phase I provides a "Turn Key" technology solution that doesn't involve a high level of reconfiguration or additional operating.

Phase II will involve the purchase of a web based agenda management system that will allow a seamless experience for the user to access agendas, reports and the webcast. This application will facilitate Legislative Services in the electronic creation, distribution, on-line posting and tracking of agenda documents and resulting decisions. The application will also facilitate electronic organization, storage and retrieval. Although initially considered as part of Phase I, due to resource constraints, the implementation of an agenda management system is expected in 2016.

HERITAGE COMPONENTS

The heritage designation of the Municipal Hall interior identified the following heritage elements as part of the Council Chambers:

- Finished cedar wood paneling on walls and ceiling of the Council area;
- Unique ceiling form;
- Council Chambers dais;
- Backdrop to Council Chambers made of cedar strips with burlap material;
- Vertical stacked concrete block walls flanking the public gallery;
- Valence skylight at back wall; and
- Doors and jambs made of cedar board and glass light panels.

While some of the interior heritage elements are being affected, the proposed renovation work incorporates and preserves the heritage characteristics while minimizing the impacts.

FINANCIAL IMPLICATIONS

A breakdown of the project components for both the estimated project and ongoing operating costs are shown in Appendix A. To summarize, the upfront costs for the project are:

Live webcasting and supporting technology	\$ 167,000
Chamber rejuvenation	\$ 157,300
Video and meeting management systems	\$ 66,200
Soft costs and contingency	<u>\$ 96,950</u>
Total cost estimate	<u>\$ 487,450</u>

The 2015-2019 Financial Plan includes \$150,000 for webcasting, including an agenda management system, leaving a balance of \$337,450 to be funded. It is recommended that funding be allocated through an appropriation of \$250,000 from the Facility Operations 2015 maintenance budget which is projected to have a surplus at the end of the year due to staff vacancies early in 2015. The balance of \$87,450 is proposed to be allocated from the same area as the priority project for 2016.

2015 Carryforward for webcasting	\$ 150,000
2015 Appropriation from operating	\$ 250,000
2016 Facility Operations budget	<u>\$ 87,450</u>
Funding Total	<u>\$ 487,450</u>

An alternative funding model is to allocate Facilities Reserve funds in 2016, however it is recommended that these funds need to be preserved for pending significant facility replacement projects and not eroded for service enhancement. The proposed project funding method utilizes existing budgets and does not have any tax increase impact.

The ongoing operational increase of \$56,000 represents an increase in taxation for 2016 of 0.05%. One time costs of \$15,000 for meeting relocation during the construction is proposed to be funded through an appropriation of the 2015 operating budget (2015 surplus).

SUMMARY

The Council Chambers has not experienced any significant changes for 50 years and the technology is out of date. Recent advances in technology have made live webcasting an important tool for councils to promote openness and transparency, improve citizen engagement and allow greater access to the decision-making process. Implementation of live webcasting with supporting technology coupled by a citizen perspective and heritage sensitive renovation of the Council Chambers is recommended to enhance the ability for Council interaction and the experience between Council and the public.

RECOMMENDATION

1. That Council approve the renovations outlined in this report at a total estimated cost of \$487,450 to be funded from:
 - a. Carryforward of \$150,000 for webcasting
 - b. Appropriation of \$250,000 from the 2015 Facility Operations budget
 - c. Allocation of \$87,450 from the 2016 Facility Operations budget
2. That Council approve an increase to the 2016 Operating Budget of \$56,000 for ongoing operational costs of the new system.
3. That Council approve an appropriation from the 2015 Operating Budget to cover the costs of relocating meetings during the course of construction.

Prepared by


Harley Machielse
Director of Engineering

Reviewed by


Valla Tinney
Director of Finance

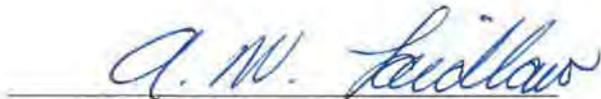
HM

Attachments

copy Carrie McPhee, Director of Legislative Services
Laura Ciarniello, Director of Legislative Services
Sharon Hvozdzanski, Director of Planning

ADMINISTRATOR'S COMMENTS:

Council should be aware webcasting and Chambers physical upgrades are integral to a successful outcome. Council is advised not to de-link these recommendations. If Council wishes to proceed, this project is the support for future technology upgrades.



Administrator

Appendix A – Cost Estimate

Item	Description of Work	Cost (\$)
1.0	Live Webcasting and Supporting Technology	
1.1	<i>Webcasting system infrastructure - 4 cameras, control centre, and wiring</i>	\$70,470
1.2	<i>Webcasting system software - indexes the agenda to the streamed video and integrates with the Saanich website for both live streaming and archive on-demand viewing.</i>	\$6,309
1.3	<i>Audio system - supports webcasting and improves Chamber media interface. Provides digital audio recording capability.</i>	\$45,574
1.4	<i>Lighting (LED) - Supports webcasting and enhances Chamber connectivity.</i>	\$38,520
1.5	<i>On-site webcast production booth</i>	\$6,100
	Sub-total	\$166,973
2.0	Chamber Rejuvenation	
2.1	<i>Council and staff desks – Supports new Council layout and desk space needed to accommodate built-in monitors, mics, and wiring for power</i>	\$64,843
2.2	<i>Raised Council platform (dais)</i>	\$48,657
2.3	<i>Wheelchair access to platform</i>	\$27,300
2.4	<i>Speaker's podium – Supports wheelchair access, seated presentations, and in character with the heritage of the Chamber.</i>	\$3,000
2.5	<i>Wood paneling refinishing and replacement of the flags and Royal pictures</i>	\$6,000
2.6	<i>Desk chairs</i>	\$7,500
	Sub-total	\$157,300
3.0	Video and meeting management systems	
3.1	<i>Video screens, monitors, podium laptops and control system – Individual monitors for Council and staff. Replacement of video screens for citizen viewing.</i>	\$63,362
3.2	<i>Meeting management system – Ability to manage speaker's queue and microphone control.</i>	\$2,837
	Sub-total	\$66,199
4.0	Documentation and Training	\$4,640
5.0	Detailed design and tender preparation (architectural, structural, electrical, and technological)	\$33,000
6.0	Contract Administration	\$15,000
7.0	Contingency (10%)	\$44,311
	Total	\$487,423

7.0	Annual operating	
7.1	<i>Webcasting Operator (\$350 / meeting)</i>	\$21,000
7.2	<i>Web streaming service fees</i>	\$24,000
7.3	<i>Audio Video maintenance fees</i>	\$6,000
7.4	<i>Equipment service fees (years 3 – 10)</i>	\$5,000
	Total	\$56,000
8.0	Temporary Council Meeting Relocation Costs	\$15,000

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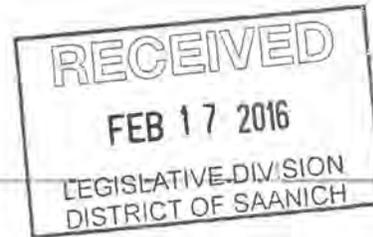
The Corporation of the District of Saanich

Mayor
Councillors
Administrator

Council
Administrator
Media
Feb 17/16

Report

To: Mayor and Council
From: Harley Machielse, Director of Engineering
Date: 2/16/2016
Subject: Council Chamber Reconfiguration Pilot



PURPOSE

The purpose of this report is to recommend a second pilot that reconfigures the Council Chamber layout in order to give Council the experience and feedback of another option.

BACKGROUND

Last fall, Council piloted a new seating layout that placed Council in a "U" shape configuration on an extended platform of the dais. The pilot was intended to give Council the experience of an alternative layout that could improve the ability for Council interaction with one another and provide a better overall meeting experience for both Council and the public.

On December 14, 2015, Council considered a report that recommended a Council Chamber renovation that would implement a reconfiguration of the Council and staff seating layout. Feedback from the meeting indicated the overall recommended cost was higher than anticipated and further information on additional options was desired. After discussion, Council motioned "that the item be postponed for further discussion at a future Council meeting."

DISCUSSION

Council indicated at the meeting on December 14, 2015, that additional information on seating layout, heritage aspects, costs, and overall finishing would need to be explored. The seating layout is considered a foundational element in order to move forward with any type of Chamber renovations. It can be challenging to fully understand and appreciate the impact of reconfiguring a floor plan using just drawings; therefore, it is recommended that Council explore a second pilot. The modular capability of the furniture in the Council Chambers provide Council the unique opportunity to pilot different options at a low cost.

The previous pilot placed Council in a "U" shape seating arrangement on a raised platform. For the second pilot, it is recommended that Council be placed in the same "U" shape configuration

CM
F. 2

but on the floor. This will give Council the experience and perspective of conducting meetings both at a raised and floor setting.

The speaker's podium will be replaced with a seated desk in order to improve sightlines and provide wheelchair access. A speaker's desk may also provide a more inviting environment for speakers who are uncomfortable standing at a podium and speaking to Council. The video screen for Council will be removed from the podium and placed on a stand in front of the desk.

The pilot is recommended for two months to collect feedback from Council and the public. Staff would also consult members of the Saanich Community Association Network to obtain their perspective on the two options. This feedback will be included in a future report that considers renovations to the Council Chambers.

FINANCIAL IMPLICATIONS

It is estimated to cost \$800 to move and reconfigure the existing technology equipment and video screen from the podium to a seated desk. The cost will be funded through the Engineering Facilities operating budget.

SUMMARY

As part of a process to potentially renovate the Council Chambers, it is recommended that another reconfiguration of the Council seating layout be piloted. The experience and feedback from the pilot will help shape any future renovation decisions.

RECOMMENDATION

That Council approve a two-month pilot that reconfigures the Council seating at floor level and replaces the speaker's podium with a seated desk.

Approved by


Harley Machielse
Director of Engineering

HM/hm

Attachments

copy Paul Thorkelsson, CAO
Carrie MacPhee, Director of Legislative Services
Laura Ciarniello, Director of Corporate Services
Valla Tinney, Director of Finance

CAO COMMENTS:

I endorse the recommendation of the Director of Engineering.



Paul Thorkelsson, CAO



The Corporation of the District of Saanich

Council Feb 22/16

Mayor
Councillors
Administrator

Council
Administrator
Media
Feb 16/16

Memo

To: Mayor and Council
From: Police Board
Date: February 12, 2016
Subject: Downloading of DNA Analysis Costs

At the February 9, 2016 the Police Board passed the following motion:

“That the Board requests that Council, on behalf of the District of Saanich, send a letter to Honorable Suzanne Anton in support of the letters from the City of Abbotsford and the District of Kent on the issue of downloading DNA Analysis costs.”

The letters from the City of Abbotsford and the District of Kent are attached for information.

Thank you.

Richard Atwell
Chair, Police Board

Attachment

cc: Chief Constable Downie

RECEIVED
FEB 16 2016
LEGISLATIVE DIVISION
DISTRICT OF SAANICH

CM
F. 3

Councillors

Les Barkman
Sandy Blue
Kelly Chahal
Brenda Falk



CITY OF ABBOTSFORD Mayor, Henry Braun

Councillors

Moe Gill
Dave Loewen
Patricia Ross
Ross Siemens

February 2, 2016

File: 7550-01

The Honourable Suzanne Anton
Minister of Justice and Attorney General
PO Box 9044 Stn Prov Govt
Victoria, BC, V8W 9E2

Dear Minister Anton:

Re: Downloading of DNA Analysis Costs

The Province signed an "Agreement Respecting Biology Casework Analysis" in January 2015; however, the City of Abbotsford only recently learned that the Province has decided to limit its contribution to the historical \$1.36 million contribution, regardless of demand. Instead of the Province increasing its contribution, as is specifically contemplated in the agreement, the significant funding gap between \$1.36 million and the Province's 54% commitment of approximately \$4 Million will be downloaded to individual municipalities that require these services.

In 2015, the Abbotsford Police Department (APD) and the City were informed about this change in policy by the Organized Crime Agency of British Columbia (OCABC) regarding DNA Testing. A copy of staff report CM 001-2016 including background information is attached. The costs of delivering Police services continues to rise for most British Columbian municipalities, regardless if the municipalities employ the Royal Canadian Mounted Police or have opted for a Municipal Police force.

The Provincial and Federal Governments continue to struggle with the same costs pressures as municipalities, with the only exception that they can allocate costs to local government where municipalities have no option but to increase costs. The shift in this responsibility, and costs, continues to add to the continuum of downloading to municipalities from senior levels of government, of which the tax burden is passed on to the taxpayer.

The City of Abbotsford supports the position of the District of Kent (copy of its letter attached to the above referenced staff report) requesting that the Province consider its position on this matter, the detrimental effects to municipalities, and an affordable resolution to DNA Analysis program.

Yours truly,

A handwritten signature in black ink, appearing to read "Henry Braun", written over a horizontal line.

Henry Braun
Mayor

Attachment

- c. Premier Christy Clark
Honourable Michael de Jong, Minister of Finance, MLA, Abbotsford-West
Clayton Pecknold, Assistant Deputy Minister and Director of Police Services
Simon Gibson, MLA, Abbotsford-Mission
Darryl Plecas, MLA, Abbotsford South
UBCM Member Municipalities
Fraser Valley Regional District
Council Members
George Murray, City Manager

Report No. CM 001-2016

EXECUTIVE COMMITTEE

Date: January 18, 2016
File No: 0400-30-20

To: Mayor and Council
From: George M. Murray, City Manager
Subject: Downloading of DNA Analysis

RECOMMENDATION

THAT the Mayor send a letter to the Honourable Suzanne Anton, Minister of Justice and Attorney General to share the City's concerns regarding the downloading of DNA analysis costs to municipalities.

SUMMARY OF THE ISSUE

At its Regular meeting of Council on January 11, 2016, Council received a copy of correspondence dated December 2, 2015, from the District of Kent to the Honourable Suzanne Anton, Minister of Justice and Attorney General, which outlined their concerns regarding the introduction of a "user pay" model for the costs of DNA analysis services (**Attachment A**). In their letter, the District of Kent states the following:

"This new charge to local governments follows the agreement between the Province of BC and the Government of Canada with regard to Biological Casework (DNA) analysis. Although DNA analysis services are not funded through the RCMP contract, and are now being billed to the municipalities, calculated by a user-pay formula municipalities with a population less than 5,000 are not billed or factored into the formula."

Council referred this matter to staff for a report.

BACKGROUND

The costs of delivering Police services continues to rise for most British Columbian municipalities, regardless if the municipalities employ the Royal Canadian Mounted Police or have opted for a Municipal Police force. The Provincial and Federal Governments continue to struggle with the same costs pressures as municipalities, with the only exception that they can allocate costs to local government where municipalities have no option but to increase costs.

The Province signed an "Agreement Respecting Biology Casework Analysis" in January 2015; however, we only recently learned that the Province has decided to limit its contribution to the historical \$1.36 million contribution, regardless of demand. Instead of the Province increasing its contribution, as is specifically contemplated in the agreement, the significant funding gap between \$1.36 million and the Province's 54% commitment of approximately \$4 Million will be downloaded to individual municipalities.

DISCUSSION

In 2015, the Abbotsford Police Department (APD) and the City were informed about this change in policy by the Organized Crime Agency of British Columbia (OCABC) regarding DNA Testing. Currently, it is estimated that the increased costs to the City (through the APD budget) is \$86,000.

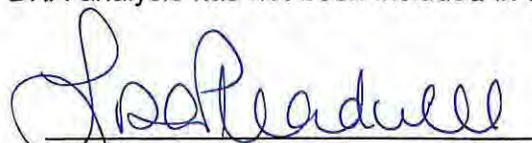
The District of Kent goes to great extent to reference the increased costs are detrimental to small/smaller municipalities. Regardless of the size of municipalities receiving these additional costs, this shift in policy will once again create yet another “downloading” of costs from one of the senior levels of government.

The Federation of Independent Business releases a report annually criticizing municipalities for passing tax increases which exceed the rate of “inflation and population growth”. Cities continue to have costs downloaded as well as are being asked to provide services beyond their original mandate (e.g. Homelessness) and as such are having a difficult time keeping their budget increases within inflationary and population increase.

Based on the foregoing, staff recommend that the Mayor write to the Honourable Suzanne Anton, Minister of Justice and Attorney General, and reinforce the District of Kent’s concerns regarding the continuing downloading of costs without additional grants and/or offsetting revenues.

FINANCIAL PLAN IMPLICATION

Downloading of costs makes it difficult for municipalities to support their spending on services and programs provided to the residents. The redistribution of responsibilities without the ability to set program standards and control costs, places a lot burden on the municipality without the mechanism for the municipality to procure an alternative service provider. The financial implications related to a “user pay” model for DNA analysis has not been included in the 2016-2020 Financial Plan.



Lisa Pleadwell, Chief Financial Officer

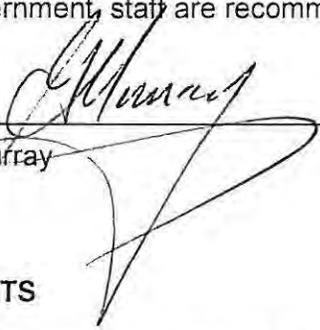
IMPACTS ON COUNCIL POLICIES, STRATEGIC PLAN AND/OR COUNCIL DIRECTION

The increase in costs, or service requirements, downloaded from senior levels of government continues to put pressure on Council’s Strategic Cornerstone “Fiscal Discipline” without sacrificing one of the City’s other objectives.

SUBSTANTIATION OF RECOMMENDATION

This report supports the District of Kent’s position that the downloading of the costs associated with DNA testing needs to be reconsidered by the Provincial Government. As municipalities are

fairly consistently experiencing the downloading of costs and/or additional services from senior levels of Government, staff are recommending support be provided for Kent's position.



George M. Murray
City Manager

ATTACHMENTS

Attachment "A": Correspondence from the District of Kent to the Honourable Suzanne Anton regarding Downloading of DNA Analysis Costs.



7170 Cheam Avenue
P.O. Box 70
Agassiz, British Columbia
Canada V0M 1A0

Tel: (604) 796-2235
Fax: (604) 796-9854
Web: www.district.kent.bc.ca

December 2, 2015



File: 0400-20
7400-01

The Honourable Suzanne Anton
Minister of Justice and Attorney General
PO Box 9044 Stn Prov Govt
Victoria, BC V8W 9E2

Dear Minister Anton:

Re: Downloading of DNA Analysis Costs

We are in receipt of the letter dated October 31, 2015 from the *Organized Crime Agency of British Columbia* (OCABC) regarding Cost Recovery on DNA analysis services (attached as Appendix 'A'). Specifically, a new Agreement *Respecting Biology Casework Analysis 2014-2024* (BCAA) has been endorsed by the Provincial Minister of Justice and Attorney General, and the Federal Minister of Public Safety and Emergency Preparedness, introducing a "user pay" model for the costs of DNA analysis services.

Our Council has now had the opportunity to review the letter from the OCABC, along with the DNA Analysis Fact Sheet, prepared by the Ministry of Justice and we have some serious concerns.

When signing the updated Municipal Police Unit Agreement in 2012, the District of Kent Council expressed our concerns regarding rising policing costs, hidden costs and financial uncertainty affecting the District's budget. As we predicted at that time, policing costs have risen substantially every year since, resulting in significant tax increases for our community. Every year we are presented with additional costs and new expenditures, of which we have little or no control. The downloading of the DNA analysis services is just the latest example of costs that have been shifted to our municipality.

Local governments in British Columbia (with a population over 5,000) have begun to receive invoices for DNA analysis services. This new charge to local governments follows the agreement between the Province of BC and the Government of Canada with regard to Biological Casework (DNA) analysis. Although DNA analysis services are not funded through the RCMP contract, and are now being billed to the municipalities, calculated by a user-pay formula,

municipalities with a population less than 5,000 are not billed or factored into the formula. Further, the October 31st letter from OCABC advises that our total invoice amounts include costs resulting from partnering in an Integrated Team where DNA costs have been identified. As a municipality with a population between 5,000 and 15,000, our integrated team costs are billed to the municipality at 70%. Therefore, although we are totally opposed to further downloading; at the very least, we would not expect to be billed for than our normal 70% share of all but accommodation costs.

With respect, we remind you, as we did in 2012, that our Council entered into the policing agreement in 2009 under protest with the Province incorporating 470 (federal) prisoners from the Kent/Mountain Institutions. We are a relatively small town and continuing increases to the Policing budget has an adversarial effect on our operating budget and tax rates.

We ask you, Honorable Minister Anton, to review our concerns and reconsider the funding of the DNA costs to determine a solution affordable to communities such as ours.

Sincerely yours,



John Van Laerhoven
Mayor

Pc: Clayton Pecknold, Assistant Deputy Minister and Director of Police Services
Premier Christy Clark
Laurie Throness, MLA
UBCM Member Municipalities



ORGANIZED
CRIME
AGENCY
of
BRITISH COLUMBIA

APPENDIX 'A'

Mailing Address:
Mailstop #408/409
14200 Green Timbers Way
Surrey, B.C., V3T 6P3
(778) 290-2040

October 31, 2015

ORIGINAL

RECEIVED

-11-12 2015

AGASSIZ RCMP

District of Kent
C/O – Cpl. Darren Rennie
Kent Detachment
6869 Lougheed Hwy
Agassiz, BC
VOM 1A0



Dear Cpl. Darren Rennie,

Re: Cost Recovery on DNA Analysis Services

A new *Agreement Respecting Biology Casework Analysis 2014-2024 (BCAA)* has been endorsed by the Provincial Minister of Justice, Attorney General and the Federal Minister of Public Safety and Emergency Preparedness. While the Province of British Columbia will continue to contribute the historical annual amount of \$1.366 million dollars and Public Safety Canada will pay 46% of ongoing costs; a "user pay" model has been introduced.

Police Services has created a cost sharing model calculated on the total cost for DNA analysis in British Columbia, minus the provincial contribution, distributed proportionally based on your agency's two year average usage compared to the usage of other law enforcement agencies in British Columbia.

The Organized Crime Agency of British Columbia's (OCABC) mandate has been expanded by the Minister of Justice. As a result, OCABC will now act in the capacity of Financial Administrator for the new Biology Casework Analysis Agreement (BCAA). OCABC is providing all users of the DNA Analysis Services, including the RCMP and Municipal Police Agencies, an invoice detailing the apportioned costs for the last quarter of the 2015/16 Federal Government Fiscal year. Full payment can be made to OCABC prior to * February 28, 2016.

Moving forward OCABC will be providing all users of the DNA Analysis Services an annual invoice. This annual process will start on April 1, 2016. Payment will be due by June 30 of each year also starting in 2016.

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CAG
 Dir. Eng.
 Building
 PEP
 Agenda Date _____
 Corp S.
 Dir. Fin.
 Enclaver
 RCMP
 In Camera Date Dec. 14/2015
 Dev S.
 Dep. Fin.
 GIS / HR
 FIRE
 Agenda Place "A"
 MAYOR
 Council
 Dist. Rec.
 Other _____

Page 140 of 173
Page 48 of 268

In addition, please be advised that should your Department or Detachment be involved/partnered in an Integrated Team where DNA costs have been identified, these costs have been included in your total Invoice amounts.

You will find three attachments: an OCABC invoice for your last quarterly use of DNA Analysis for the 2015/16 year, a BC Police Services DNA Fact Sheet, and a Billing Calculations explanation sheet.

Should you have any questions about your invoice or this new process, please contact Superintendent John Grywinski at 778-290-3003 for further information.

Yours truly,



Kevin Hackett, C/Supt.
Chief Officer

Attachments

Billing Calculation for Agencies

The first three years of the Biology Casework Analysis Agreement include an escalation period which uses fixed costs to gra to British Columbia from the historical payment amount of \$1.366 million to paying 54% of actual costs. The Federal Govern the costs for British Columbia's DNA analysis each year after the escalation period. The remaining 54% of the costs will be c the contribution and formulas outlined below.

Escalation Period

2014/2015 (Year 1 Fixed Amount \$2.5M)

The Province paid the bill for all Agencies for the first year of the escalation period.

2015/2016 (Year 2 Fixed Amount \$3.6M)

The Province will pay its historical contribution of \$1.366 million plus (75%) three quarters of the bill (i.e. April to December) in the second year.

Agency's cost is =

Your Agency's two year average usage compared to the usage of other Law Enforcement Agencies in British Columbia.

X [(Fixed cost of \$3.6M) - (Historical Contribution)]

Province's cost is \$ x = (\$3.6M - 1.366M) x 75%

2016/2017 (Year 3 Fixed Amount \$4.9M)

The Province will pay its historical contribution (\$1.366 million). The rest of the cost to British Columbia will be invoiced to e their proportionate two year average usage compared to the two year average usage for British Columbia as a whole.

Agency's cost will be \$x = Your Agency's two year average usage compared to the usage of other Law Enforcement Agencies in British Columbia. X [(Fixed cost of \$4.9M) – (Historical Contribution of

Integrated Teams

Partner Agencies involved in an Integrated Team where DNA costs have been identified; these costs are included in your tot Splits are based on the respective MOU split formula and applied pro-rata to participating agencies.

Integrated Detachments

- Usage and cost split is based on Member Establishment for Integrated Detachments.
- RCMP Municipal Establishment is based on Annex Letters.
- RCMP Provincial Establishment is based on RCMP HRMIS system.



DNA Analysis Fact Sheet

Background:

- Biological Casework Analysis (DNA) for police agencies in British Columbia is provided by the RCMP Forensic Sciences and Identification Services (FS&IS) lab under the National Police Services (NPS).
- NPS is a federally funded program operated under the stewardship of the RCMP. It provides services (such as the FS&IS Lab, the Canadian Firearms Program, the Violent Crime Linkage Analysis System, the National Sex Offender Registry, etc.) directly to police agencies across Canada.
- In 2004, provinces and territories agreed to contribute to Biological Casework Analysis and entered into Contribution Agreements with Canada.
- Historically, the Province of BC has contributed \$1.366 million for the RCMP FS&IS lab to provide DNA analysis services to police agencies in BC.
- In 2013, the Federal Government advised that it would no longer continue to provide BCAA services at the historical flat rate contribution and would require reimbursement based on actual costs.
- The new *Agreement Respecting Biology Casework Analysis 2014-2024 (BCAA)* has been negotiated as a result.
- After negotiations between the Province and Public Safety Canada (PSC) regarding the provision of DNA analysis services to police agencies in British Columbia, the new agreement was endorsed by both the Provincial Minister of Justice and the Federal Minister of Public Safety and Emergency Preparedness. The PSC billing for fiscal years 2014/15, 2015/16 and 2016/17 are fixed amounts per the agreement. After the three-year escalation period, Canada will contribute 46% of the total costs.
- Under the new BCAA, after a three-year escalation period (which began in fiscal 2014/15), DNA analysis services will be charged based on a calculation that reflects two-year average actual usage. As per s. 15 (1) of the *Police Act*, in British Columbia, police agencies are responsible for bearing expenses necessary to maintain law and order, to adequately enforce criminal law, and to provide adequate equipment and supplies for the operations of and use by the police.
- DNA analysis is not a service provided under the Provincial (or Municipal) Police Service Agreement.
- In order to allow police agencies time to transition the Province is paying the full cost of the new BCAA from April 1, 2014 to December 31, 2015 of the escalation period.
- All police agencies will be responsible for their actual use of the service as of January 1, 2016.

New Process:

Ministry of Justice

Policing and Security Branch

Mailing Address:
PO Box 9285 Stn Prov Govt
Victoria BC V8W 9J7

Telephone: 250 356-7926
Facsimile: 250 356-7747
Website: www.gov.bc.ca/pssg

- The Organized Crime Agency of British Columbia (OCABC) will function as the administrator for the new BCAA.
- OCABC will invoice police agencies in October 2015 for their January 1, 2016 to March 31, 2016 BCAA services. Payment of this invoice will be due by February 29, 2016.
- Annually OCABC will invoice police agencies in April starting in 2016 for BCAA services for the period April 1 to March 31. Payment of this invoice will be due by June 30 of each year also starting in 2016 (i.e. approximately 60 days from invoice date).
- Starting in fiscal year 2017/18 when the charges from PSC are no longer fixed, OCABC will invoice police agencies based on an estimate. Any difference between this estimate and actual PSC invoice, which is received later in the year, will be adjusted in the following year's invoice to police agencies.

Billing Calculation:

- The method of calculation for determining the total cost for DNA analysis in Provinces and Territories each year is set out in the new BCAA.
- The Province of British Columbia will continue to contribute the historical amount of \$1.366 million.
- The amount of the total cost for DNA analysis in the province that remains after the Province has paid its contribution of \$1.366 million will be distributed proportionally among police agencies based on each agency's two year average usage compared to the total usage of all law enforcement agencies in British Columbia.



Report

To: Mayor and Councillors
From: Councillor Vic Derman
Date: February 10, 2016
Subject: Changes to Blanshard Street

Mayor
Councillors
Administrator

Council
Administrator
Media
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Rationale

The "Uptown" area, and the rest of the Douglas Corridor in Saanich, have the potential to become a nexus for new development and establishment of an urban core for the municipality. Unfortunately, the current harsh and aggressive nature of Blanshard Street, particularly as it passes Uptown and adjacent urban development, is antithetical to accomplishing the opportunity this area offers.

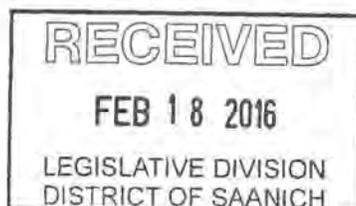
The purpose of this report is to suggest changes that would improve the "pedestrian quality" and "urban nature" of the street while maintaining traffic flow and potentially improving pedestrian, cycling and automobile safety.

The primary change would be to close portions of the left lane next to the "Save on Foods" shopping centre. This lane would become left turn only for traffic approaching Ravine Way and would be closed to traffic on the "Save On side" of the Blanshard/Ravine Way intersection. This closure would continue as indicated on the attached diagram while still allowing for existing entrances and exits currently serving the shopping centre.

Closing the lane in this location would provide a number of advantages including:

1. A substantial area would be provided for additional landscaping and potential pedestrian and cycling amenities.
2. The streetscape would be "softened" as a result and would begin to resemble what is expected of an urban street rather than what is expected of a highway. This change could be emphasized by the creation of an entrance feature at the Blanshard/Ravine Way intersection.
3. Autos could exit more safely from the "Save On" centre since they could enter Blanshard without facing a through lane containing occasional, but aggressive, traffic. Subsequent merges into other lanes would likely be safer than what current conditions allow.
4. Three full lanes of through traffic (the current condition) would be maintained.

All of this could result in considerable improvements for the street and area at relatively modest cost. Furthermore, the changes suggested mirror, and are consistent with, Vernon Avenue changes proposed by the group planning the Nigel Valley Project. As such the proposed changes are particularly timely and could allow the ministry to consider changes to Vernon and Blanshard in tandem.



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Recommendations

1. That Council forward this report to the Engineering Department and relevant advisory committees for comment along with a request to have this comment provided at the earliest opportunity.
2. That the Engineering Department be asked to review all comments and bring a report to Council as soon as possible indicating how to best approach the province and request whatever changes are determined to be appropriate.

A handwritten signature in black ink, appearing to read "Vic Derman". The signature is fluid and cursive, with a large initial "V" and a long, sweeping underline.

Councillor Vic Derman

1410-04 Council
K: 1300-20 UBCM



The Corporation of the District of Saanich

Report

Mayor
Councillors
Administrator
Council
Administrator
Media
Feb 18/16 DM

To: Council
From: Mayor Richard Atwell
Date: February 18, 2016
Subject: Resolution to AVICC - British Columbians with Disabilities Act

BACKGROUND

On January 14, 2016, I met with City of Victoria Councillor Jeremy Loveday, members of Victoria Get Together with Technology (GTT) and Albert Rule, Western Canada Coordinator for the Canadian Council of the Blind (CCB) to discuss accessibility issues in the Capital Region.

Technology today is enabling greater opportunities for information access to those who have disabilities and the Victoria chapter of GTT focuses on the promotion of accessible lifestyle and other adaptive technologies through its peer training and assistance programs.

The Canadian Council of the Blind is a nationwide, non-profit organization run for the blind and by the blind and is the parent organization of the national Get Together with Technology programs.

In November 2015, Barrier-Free BC <<http://barrierfreebc.org>> was organized as a non-partisan campaign advocating for the enactment of a strong and effective British Columbians with Disabilities Act which would have BC become accessible to all people currently with disability and to those who will likely acquire one with age. Additionally, Barrier-Free BC has acquired the support of 11 prominent seniors' and disability organizations and their members and support continues to grow.

A British Columbians with Disabilities Act would establish an enforceable standard of service delivery to persons with disabilities and would substantially reduce the need for Human Rights complaints to address discriminatory practices by incorporating mediation and resolution processes into the legislation.

For example, a B.C. Human Rights Tribunal ruling, responding to the complaints originally filed by the Canadian Federation of the Blind (CFB), directed B.C. Transit to make stop announcements. This resulted in the installation of an automated, GPS-assisted stop announcing system to assist people with vision impairments in 2015.

While the Canadian Charter of Rights and Freedoms and the BC Human Rights Act make it illegal to discriminate against people with a physical or mental disability, those laws do not yet set specific standards for accessibility. As a result, those who experience discrimination are required to individually investigate and fight their own legal cases in order to remove one barrier at a time as was the case with BC Transit.

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FEB 18 2016
LEGISLATIVE DIVISION
DISTRICT OF SAANICH

Even with Provincial legislation such as the Ontarians with Disabilities Act (2005) requiring Ontario to become fully accessible by 2025 and the Manitobans with Disabilities Act (2013), disabled Canadians will still be looking for a Canadians with Disabilities Act similar to the Americans with Disabilities Act of 1990 because provincial legislatures alone cannot regulate some barriers, like those under federal jurisdictions such as federal services, air travel and banks.

Therefore, without a British Columbia with Disabilities Act developed through a collaborative effort between governments, representatives from business and people with disabilities that sets out a comprehensive legislated plan to remove existing accessibility barriers, and to prevent the creation of new barriers, many British Columbians will continue to be unable to fully participate within their own communities.

As with the Ontario and Manitoba legislation, the enactment of these laws will clarify the legal requirements of employers and service providers regarding accessibility provisions to address existing physical, technological, communicational, informational, attitudinal and legal barriers.

RECOMMENDATION

That Council endorse the following resolution for consideration at the 2016 Convention of the Association of Vancouver Island Coastal Communities:

BRITISH COLUMBIANS WITH DISABILITIES ACT District of Saanich

WHEREAS growing older is the greatest cause of disabilities and the number of British Columbians with disabilities is expected to grow in the next 15 years as our society ages;

AND WHEREAS at least 750,000 British Columbians with disabilities face unfair accessibility barriers in areas that the provincial government in BC can regulate;

AND WHEREAS a British Columbians with Disabilities Act would build on, and not replace or weaken any existing disability or human rights protections;

THEREFORE BE IT RESOLVED that the Association of Vancouver Island Coastal Communities and Union of British Columbia Municipalities urge the Provincial government to enact a strong and effective British Columbians with Disabilities Act that incorporates the principles advocated for by Barrier-Free BC.



Richard Atwell
Mayor