

DISTRICT OF SAANICH
MINUTES OF THE COUNCIL MEETING
HELD IN COMMITTEE ROOM NO. 2
SAANICH MUNICIPAL HALL, 770 VERNON AVENUE
MONDAY, FEBRUARY 22, 2016

Present: **Chair:** Mayor Atwell
 Council: Councillors Brice, Brownoff, Derman, Haynes, Murdock, Plant, and Sanders
 Staff: Paul Thorkelsson, Chief Administrative Officer; Carrie MacPhee, Director of Legislative Services (7:00 pm); Harley Machielse, Director of Engineering (7:00 pm); Donna Dupas, Legislative Manager; Neil Findlow, Senior Planner (7:00 pm); and Sharon Froud, Deputy Legislative Manager (7:00 pm)

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

In Camera Motion **MOVED by Councillor Derman and Seconded by Councillor Haynes:**
“That pursuant to Sections 90 (1) (c) and (m) of the *Community Charter*, the following meeting be closed to the public as the subject matters being considered relate to:
- **Labour relations or other employee relations; and**
- **A matter that, under another enactment, is such that the public may be excluded from the meeting.”**

CARRIED

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

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

PUBLIC HEARING

2870-30
Miller Avenue

“ZONING BYLAW, 2003, AMENDMENT BYLAW, 2016, NO. 9373”

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 560m²) and RS-10 (Single Family Dwelling – Minimum Panhandle Lot Size 1,020m²) 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 (Lot 1) will be considered. A **COVENANT** to further regulate the use of the lands and buildings will also be considered.

The Clerk introduced the following:

- Notice of Public Hearing;
- Reports from the Director of Planning dated January 26, 2016 and December 18, 2015 recommending:
 - 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;
 - That proposed panhandle Lot 1 be exempted from the statutory requirement to provide a minimum 10% perimeter road frontage under Section 512 (2) of the *Local Government Act*;
 - That Final Reading of the Zoning Bylaw Amendment be withheld pending registration of a covenant to secure the following:
 - 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.
- A letter from a resident.
- Three letters of no objection from the Royal Oak Community Association.

APPLICANT:

C. Pringle, Cadillac Developments Ltd. / Owner, stated:

- Five parking spaces will be provided for the 1,800ft² new home, which also includes plans for a 600ft² secondary suite.
- All concerns and requests from Council and staff have been addressed.

PUBLIC INPUT:

Nil

COUNCIL DELIBERATIONS:

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

- 1) The application to rezone Lot A, Section 97, Lake District, Plan 19206 (728 Miller Avenue) from Zone A-1 (Rural – Minimum Lot Size 2ha) to RS-6 (Single Family Dwelling – Minimum Lot Size 560m²) and RS-10 (Single Family Dwelling - Minimum Panhandle Lot Size 1020m²) be approved;
- 2) Exemption from the minimum 10% perimeter road frontage requirement under Section 512(2) of the *Local Government Act* for proposed panhandle lot 1 be approved; and
- 3) Final Reading of the Zoning Amendment Bylaw be withheld pending registration of a covenant to secure the following:

- a. The design and construction of any dwelling on proposed Lot 2 conform to a minimum EnerGuide 82 or equivalent energy efficiency standard;
- b. The driveway for proposed Lot 2 be constructed with pavers;
- c. 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
- d. 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.”

The Motion was Then Put and CARRIED

2870-30
Miller Avenue

ZONING BYLAW, 2003, AMENDMENT BYLAW, 2016, NO. 9373
Second and Third Readings

MOVED by Councilor Derman and Seconded by Councillor Brice: “That Bylaw No. 9373 be read a second time.”

CARRIED

MOVED by Councillor Derman and Seconded by Councillor Brice: “That Bylaw No. 9373 be now passed.”

CARRIED

The Public Hearing was adjourned.

DELEGATIONS

1410-02
Delegation –
Fortress
Foundation

FORTRESS FOUNDATION

Subject: 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.

Joel Conway of Fortress Foundation commended Council for work undertaken regarding Resolutions No. B53 (Human Trafficking) and B80 (Rape Culture) through the UBCM. More needs to be done; he would like to work collaboratively with Council and the public to address ending sexual exploitation and assault. The Fortress Foundation is formally requesting a general letter of support from the District of Saanich.

MOVED by Councillor Haynes and Seconded by Councillor Derman: “That Council provide a general letter of support for Fortress Foundation in their endeavour to implement preventative measures for all forms of gender based violence, with a specific focus on sexual assault, sexual exploitation and human trafficking”.

The Motion was then Put and CARRIED

Minutes

ADOPTION OF MINUTES

**MOVED by Councillor Haynes and Seconded by Councillor Sanders:
“That Council adopt the minutes of the February 15, 2016 Council and
Committee of the Whole meetings.”**

CARRIED**PUBLIC INPUT ON COUNCIL AGENDA ITEMS**Public Input on
Council Agenda
Items1220-20Noise
Suppression
Bylaw

M. Tubman, Hector Road:

Noise Suppression Bylaw Amendment:

- There are many households that have submitted complaints regarding the noise created by excavation, tree falling and rock blasting.
- The noise pollution has negatively affected the neighbourhood.

T. Broeren, Hector Road:

Noise Suppression Bylaw Amendment:

- The Rural Saanich Local Area Plan sets out the vision for rural Saanich; however, the continuing noise issue ensures that the vision will not be achieved.
- The approval of this bylaw amendment is essential to the enjoyment of any neighbourhood in Saanich.

L. Fulton, Hector Road:

Noise Suppression Bylaw Amendment:

- The quiet and natural beauty of the area has been negatively impacted by industrial noise pollution; she has been impacted negatively by continuing noise issues.

Dr. P. Food, Clark Road:

Noise Suppression Bylaw Amendment:

- Excessive noise is a serious health issue and is not merely an annoyance.
- The negative effects of continued exposure to noise are not exclusively auditory, it also creates considerable and chronic stress which, in turn, negatively affects health in general for humans and animals.

S. Fulton, Hector Road:

Noise Suppression Bylaw Amendment:

- She appreciate the benefits of living in a municipality that supports both urban and rural lifestyles. The potential health impacts of exposure to excessive noise is of concern.

S. Fyfe, Ivor Road:

Noise Suppression Bylaw Amendment:

- Auditory issues due to excessive noise exposure is a concern. Not being able to have quiet and comfort in your home is frustrating.

N. Dilay, Conway Road:

Noise Suppression Bylaw Amendment:

- Wildlife are also being negatively impacted by consistent and excessive noise.

D. Noyce, Ivor Road:

Noise Suppression Bylaw Amendment:

- Excessive noise negatively impacts the enjoyment of homes and neighbourhoods.

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M. Vincent, Eagle Rock Terrace:

Noise Suppression Bylaw Amendment:

- Negative impacts to animals due to excessive noise exposure is a concern.

BYLAWS

1410-04
Report -
Legislative

“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.

xref: 1220-20
Noise
Suppression
Bylaw

**MOVED by Councillor Derman and Seconded by Councillor Brownoff:
“That Bylaw No. 9374 to amend section 11(e) to update the wording and to require a valid building permit for excavation work be adopted.”**

Councillor Derman stated:

- The negative experiences due to excessive noise that have been experienced by residents are of concern.
- Council continually tries to respect the rights of individual property owners and also the obligations to the rights of the larger community.

xref: 1110-30
Noise
Suppression
Bylaw

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

- Commercial quarrying operations are not permitted in the A-1 zone.

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

- Quarrying is not a permitted use in any zone; if the operation of quarrying could be proven on a property a forced discontinuation could be undertaken.
- A permit is required to correctly remove soil from a property.
- The Noise Bylaw is the most effective way to control excessive noise issues. Other opportunities to control and manage industrial noise issues would need to be investigated by staff.

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

- The proposed bylaw amendment being enforceable is dependent upon an individual’s activity; if the individual continues with the activity after the bylaw is approved then enforcement can occur.

Councillor Brownoff stated:

- Alternative enforcement options should be explored, especially if a quarrying operation is occurring within a neighbourhood.

Councillor Haynes stated:

- He is appreciative and complimentary of the fortitude and patience of those impacted by the excessive noise.

Councillor Plant stated:

- The bylaw amendment is supportable.

Councillor Brice stated:

- The neighbourhood residents have handled their concerns and approach to Council in an exemplary manner.
- Staff and Council will examine alternative opportunities to deal with such issues in the future.

Councillor Sanders stated:

- Future enforcement and alternative opportunities for abatement of excessive noise should be examined; she is supportive of this amendment.

Councillor Murdock stated:

- He appreciates the affected residents demonstrating to Council the profound impact the operation has had on their lives; it is his sincere hope relief will be forthcoming.

Mayor Atwell stated:

- It is important that residents be encouraged to approach Council with issues to ensure Council is aware and can act upon them before it becomes a long-term issue that affects health, happiness and livelihood.
- There are justifiable means and reasons for doing the kind of work occurring on the property; our laws have to be crafted justly so they apply equally to all and so they make good sense.

The Motion was Then Put and CARRIED

1220-20
Noise
Suppression
Bylaw

NOISE SUPPRESSION BYLAW, 1993, AMENDMENT BYLAW, 2016, NO. 9374
Second and Third Readings

MOVED by Councilor Derman and Seconded by Councillor Brownoff:
"That Bylaw No. 9374 be read a second time."

CARRIED

MOVED by Councillor Derman and Seconded by Councillor Brownoff:
"That Bylaw No. 9374 be now passed."

CARRIED

RESOLUTIONS FOR ADOPTION

1200-20
Webcasting

WEBCASTING

Report of the Director of Engineering dated February 16, 2016 recommending Council approve Option 1 or 2 as outlined in the report to implement live webcasting. Option 1 provides a single camera with a single viewpoint. Option 2 provide multiple cameras with multiple viewpoints.

MOVED by Councillor Plant and Seconded by Councillor Haynes: “That Council approve Option 2 in order to provide multiple cameras with multiple viewpoints while implementing live webcasting”.

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

- Option 1 does not affect or diminish the need for an operator.
- Both Option 1 and 2 allow for presentation material to be in sync with the webcast and will be viewable.
- Option 2 includes four cameras, as recommended by the Information Technology Department, this will allow for a full representation of Mayor, Council, staff and speakers.
- The on-sight production booth would require more customization if Option 2 is opted for.
- Webcasting can proceed without Council Chamber reconfiguration.
- Camera locations will be optimized regardless of whether or not the Council Chamber is reconfigured.
- Electrical upgrades are not required at this time, it will be addressed in the future through Facility Operations.

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

- The Agenda Management System is to be funded through the 2016 budget which is yet to be approved.
- The agenda will still be synched to the podcast; however, the more fulsome Agenda Management System is the ultimate goal which will provide efficiency to Council, staff and residents.

In response to questions from Council, the Legislative Manager stated:

- Privacy impact assessments will be undertaken in relation to having members of the public speak to Council while being videotaped; the public will be notified that they will be videotaped.

Councillor Plant stated:

- Council was reticent to undertake the financial burden associated with Council Chamber reconfiguration in tandem with webcasting implementation; the separation of the two initiatives is appreciated.
- Multiple cameras would provide for a more effective webcasting experience for the viewers.

Councillor Haynes stated:

- Option 2 allows for a more comprehensive approach to webcasting.

Councillor Derman stated:

- He supports Option 2; it is within budget and the functionality is greater.
- Cost savings may be realized through the request for proposal process.

In response to a question from Council, the Chief Administrative Officer stated indexing webcasts will assist residents with finding agenda items more easily.

Councillor Brice stated:

- She supports Option 2; it has better functionality for residents.

Councillor Sanders stated:

- Indexing webcasts will be helpful for members of the public; residents may be intimidated being videotaped.

Councillor Murdock stated:

- Option 1 is supportable; webcasting will add value for residents.

Mayor Atwell stated:

- A multi-camera set up is supportable; it will provide a superior archival record.

**The Motion was then Put and CARRIED
with Councillors Murdock and Sanders OPPOSED**

1200-20

Council Chamber
Reconfiguration
Pilot

COUNCIL CHAMBER RECONFIGURATION PILOT

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.

MOVED by Councillor Haynes and Seconded by Councillor Brice: "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."

Councillor Haynes stated:

- He looks forward to the two-month pilot.

Councillor Plant stated:

- It is difficult for members of the public sitting in the back of the Council Chambers to see Council.

Councillor Derman stated:

- The cost of a full renovation of the Council Chambers is a concern; the two-month pilot may show that a full renovation is not good value for money.
- The biggest obstacles in the Council Chambers are the speaker's podium and the angle of Councillors' desks.

Councillor Murdock stated:

- A two-month pilot is a less expensive option than a full renovation and may alleviate the public's concerns that they cannot see Council.

Councillor Sanders stated:

- The speaker's podium obscures the view of the public; the pilot may alleviate this concern.

Councillor Brownoff stated:

- There may be value in getting feedback on the seated desk from those that present to Council.

Mayor Atwell stated:

- There still may be concerns regarding the “U” shape configuration of Councillors’ desks.

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

1300-50

Cooperation and
Liaison

DOWNLOADING OF DNA ANALYSIS COSTS

Recommendation from the February 9, 2016 Saanich Police Board meeting recommending that Council approve sending a letter to the Honourable 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.

**MOVED by Councillor Derman and Seconded by Councillor Brownoff:
“That Council, on behalf of the District of Saanich, send letters to the Honourable Suzanne Anton and the Union of BC Municipalities in support of the letters from the City of Abbotsford and the District of Kent on the issue of downloading DNA Analysis costs.”**

CARRIED

REPORTS FROM MEMBERS OF COUNCIL

1410-04

Report – Council

xref: 6700-40

Blanshard Street

CHANGES TO BLANSHARD STREET

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 comments 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.

Councillor Derman stated:

- The Uptown/Douglas corridor has the potential to be an urban core for the municipality; the biggest obstacle has been the nature of the roads in the area.
- Changes to the roadways and the addition of landscaping may improve the pedestrian and cycling quality and safety.

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

- 1. Council forward the report of Councillor Derman, dated February 10, 2016, entitled “Changes to Blanshard Street” to the Engineering Department and relevant advisory committees for comment, along with a request to have comments provided at the earliest opportunity;**
- 2. 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.”**

Councillor Derman stated:

- The suggested change to the left lane next to the Save on Foods shopping centre would not be affected by the proposed residential buildings on the Uptown property.
- Blanshard Street is currently treated as a highway in that it has deceleration lanes.

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

- Blanshard Street and Vernon Avenue to Tolmie Avenue are under provincial jurisdiction.

Councillor Plant stated:

- It may be appropriate to ask the Province to include recognition of the municipality or add landscaping or public art on the space under provincial jurisdiction.

Councillor Derman stated:

- The report includes a suggestion to soften the streetscape with the addition of an entrance feature at the Ravine Way and Blanshard Street intersection.

Councillor Brice stated:

- Instead of approaching the Province, it may be appropriate to include a vision for this area in the Strategic Plan.

Councillor Haynes stated:

- Seeking feedback from the advisory committees and staff would be appropriate; this area would benefit from place-making changes.

Councillor Sanders stated:

- Having staff review the area as part of a bigger project would be appropriate; the Arts, Culture and Heritage Advisory Committee considers where public art should be placed in the municipality.

Councillor Derman stated:

- Blanshard Street and Vernon Avenue are provincial roadways; changes cannot be made to the roadways without provincial approval.
- Planning for the entire area is a long-term project; closing portions of the left lane next to the Safe on Foods shopping centre would result in a substantial improvement in the short-term.

In response to a question from Council, the Senior Planner stated:

- The Uptown Corridor Study includes the Douglas and Blanshard Corridors and will look at all aspects of the areas including mobility, land use and the inter-relationship between both; the study is a three-year process.

Councillor Murdock stated:

- The Province may want to consider changes in the broader land use; the motion is consistent with the values of the municipality.

Councillor Brownoff stated:

- It may be appropriate to contact the Province to see if there is an appetite for change before work is undertaken by staff; referral to the Strategic Planning process may be more appropriate.
- The Arts, Culture and Heritage Advisory Committee could be asked to consider the addition of public art in the area.

Councillor Derman stated:

- A long-term plan may take between five and twenty years to complete; it may be helpful to have feedback from advisory committees and staff before sending to the Province.

The Motion was then Put and DEFEATED due to a tie vote with Councillors Brice, Brownoff, Murdock, and Sanders OPPOSED

MOVED by Councillor Plant and Seconded by Councillor Brice: “That the report of Councillor Derman dated February 10, 2016, entitled “Changes to Blanshard Street” be forwarded for consideration in the Strategic Planning process.”

CARRIED

1410-04
Report – Council

xref: 1300-20
UBCM

RESOLUTION TO AVICC – BRITISH COLUMBIANS WITH DISABILITIES ACT

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.

MOVED by Councillor Haynes and Seconded by Councillor Brice: “That:

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 Columbian 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 the Union of BC 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.”

Councillor Brownoff stated:

- Saanich has policies that support the disabled community and staff continue to ensure that accessibility is considered; municipalities have the opportunity to implement various barrier-free policies similar to what Saanich has.
- Saanich is recognized as an age-friendly city.

Councillor Haynes stated:

- Saanich has taken a leadership role in working with the disabled community.

Councillor Derman stated:

- He thanks the Mayor for bringing the resolution forward.

The Motion was then Put and CARRIED

**MOVED by Councillor Brownoff and Seconded by Councillor Haynes:
“That Saanich continues its’ commitment in working towards an age-friendly and barrier-free municipality.”**

CARRIED

1410-20
CRD Updates

CAPITAL REGIONAL DISTRICT ACTIVITIES UPDATE

Council members provided updates on a variety of Capital Regional District initiatives.

Adjournment

On a motion from Councillor Derman, the meeting adjourned at 10:14 pm.

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MAYOR

I hereby certify these Minutes are accurate.

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MUNICIPAL CLERK