

DISTRICT OF SAANICH
MINUTES OF THE COUNCIL MEETING
HELD IN THE COUNCIL CHAMBERS
SAANICH MUNICIPAL HALL, 770 VERNON AVENUE
MONDAY, MAY 9, 2016 AT 7:00 P.M.

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

1410-01
Delegation

DELEGATION

VICTORIA AIRPORT AUTHORITY (VAA)

Subject: Presentation of the Annual Update

Ms. S. Smith, Director, VAA and Mr. G. Dickson, President and Chief Executive Officer, VAA presented the annual update and plan for growth and answered questions from Council. Mr. Dickson advised that the Victoria Airport was the third airport in North America to receive carbon accreditation.

Minutes

ADOPTION OF MINUTES

**MOVED by Councillor Brownoff and Seconded by Councillor Wergeland:
“That Council adopt the minutes of the May 2, 2016 Council and Committee
of the Whole meetings.”**

CARRIED

1410-04
Report –
Council

NOTICE OF MOTION

xref: 1220-20
EDPA Bylaw

Notice of Motion received from Councillor Wergeland that Council remove single family zoned residential lots from the Environmental Development Permit Area (EDPA) Atlas until such time as the individual property owner(s) apply for subdivision or rezoning, at which point an evaluation of the property for the possible presence of environmentally sensitive areas would be undertaken to determine if there is or is not the need for an EDPA permit. This motion will be presented at the May 16, 2016 Council meeting.

1410-04
Report -
Council

NOTICE OF MOTION

Notice of Motion received from Councillor Plant that whereas the devastation and loss of property experienced by those in the Fort McMurray region has been unprecedented in recent Canadian history, and, whereas the time and costs for residents and businesses to return to normal will be significant and immense, and, whereas Canadians from across our nation will want to help those who have experienced significant loss and experienced trauma as a result of the wildfires, and whereas, the residents of Saanich will want to show their support to those affected by the wildfires in the Fort McMurray region; be it resolved that Saanich will support regional fundraising initiatives or activities to support those in need as a result of the loss caused by wildfires in Northern Alberta. This motion will be presented at the May 16, 2016 Council meeting.

BYLAWS FOR FINAL READING1110-30Financial Plan
Bylaw**FINANCIAL PLAN BYLAW (2016-2020)**

Final Reading of "Financial Plan Bylaw, 2016, No. 9377". To establish the five year Financial Plan for 2016-2020.

MOVED by Councillor Wergeland and Seconded by Councillor Brice: "That Bylaw No. 9377 be adopted by Council and the Seal of the Corporation be attached thereto."**CARRIED**1110-30

Tax Bylaw

TAX BYLAW

Final Reading of "Tax Bylaw, 2016, No. 9378". To establish the tax rates for 2016.

MOVED by Councillor Haynes and Seconded by Councillor Brice: "That Bylaw No. 9378 be adopted by Council and the Seal of the Corporation be attached thereto."**CARRIED**1110-30CRD Onsite
Sewage
Systems
Service Parcel
Tax Bylaw**CRD ONSITE SEWAGE SYSTEMS SERVICE PARCEL TAX AMENDMENT BYLAW**

Final Reading of "CRD Onsite Sewage Systems Service Parcel Tax Bylaw, 2008, Amendment Bylaw, 2016, No. 9379". To establish the parcel tax rate for 2016.

MOVED by Councillor Brownoff and Seconded by Councillor Wergeland: "That Bylaw No. 9379 be adopted by Council and the Seal of the Corporation be attached thereto."**CARRIED****PUBLIC INPUT ON COUNCIL AGENDA ITEMS**Public Input on
Council
Agenda Items

C. Kask, Inez Drive:

McKenzie Interchange:

- It may be difficult to get the Ministry of Transportation and Infrastructure (MOTI) to change the design of the interchange; Council should press the Ministry for advantages and funding for Cuthbert Holmes Park.
- It is important for Saanich to get ownership of the entire park.

1220-20

EDPA Bylaw

2150-20Cuthbert
Holmes Park
Management
Plan

In response to a question from Council, the Senior Manager of Parks stated a large portion of the park is leased from the Province with a 99-year lease.

E. Dahli, Mt. Baker View Road:

Draft Terms of Reference – EDPA:

- Staff should not be involved in the selection of a consultant; if an arms-length approach is not taken, the process could be perceived as tainted.

2190-20
McKenzie
Interchange

S. Karpes, Vice President, Gorge Tillicum Community Association:

McKenzie Interchange:

- Neighbours are upset regarding the design of the interchange; they are concerned about the impact on Cuthbert Holmes Park and the Colquitz River and noise from the highway.

2190-45
Ride-Sourcing
Economy

W. Pugh, Prospect Lake Road:

Draft Terms of Reference – EDPA:

- She has confidence that staff would be able to develop an unbiased and fair report; public discussion has been well documented; therefore, Option 1 for public consultation is supportable.

P. Haddon, James Heights:

Draft Terms of Reference – EDPA:

- This has been a long process but progress has been made; having an independent process may result in the report being perceived as more credible.
- This is a technical and complex process; Option 1 or 2 is preferred for consultation.

C. Phillips, Gordon Head Road:

Draft Terms of Reference – EDPA:

- Staff may have too much discretionary power; a collaborative public consultation process should be undertaken and a steering committee independent of staff be appointed to provide input and solutions.
- The development process should be simplified; staff should work with property owners and protect their best interests.
- There should not be a financial burden to property owners; stewardship should be encouraged.

T. Hancock, Ker Avenue:

McKenzie Interchange:

- An interchange should not be constructed at all; it is contrary to the Regional Growth Strategy and does not encourage use of alternate modes of transportation.
- The proposed construction is close to environmentally sensitive areas; alternate options for the intersection that would not impact Cuthbert Holmes Park should be considered.
- If the construction goes ahead, Council should demand benefits from the Province for the park and for the neighbourhood.

D. Chambers, Obed Avenue:

McKenzie Interchange:

- Individuals, when they come together, can effect change; Cuthbert Holmes Park needs to be protected.

M. Haig-Brown, Meadowbrook Road:

McKenzie Interchange:

- It is important to protect Cuthbert Holmes Park; an interchange that has less impact on the park and the Garry oak trees should be considered.

Terms of Reference – EDPA:

- There has already been an enormous amount of consultation; therefore, Option 1, to inform the public, would be sufficient.

M. Kang, Leveret Place:

Ride-Sourcing Economy:

- Taxi drivers are the eyes and ears of the community; the taxi business is regulated to ensure passenger safety.
- Alternate ride-share services should have to follow regulatory requirements, including being taxed and ensuring they are insured.

K. Brandt, Obed Avenue:

McKenzie Interchange:

- There are concerns about the proximity of the proposed interchange to Marigold Elementary School including an increase in noise and pollution and that construction will occur during the school year. There will be a permanent loss of sensitive ecosystems and Garry oak trees.
- School property will be decreased to accommodate the relocation of the Galloping Goose; no consultation took place with parents of the children who attend the school or the neighbours who live in the area.
- Other options should be considered that do not impact the school.

R. Bouchard, Parkview Drive:

McKenzie Interchange:

- An alternative solution should be considered; the Gorge Tillicum neighbourhood is the most affected by the proposed interchange.
- The Province has not addressed the community's concerns; there may be an opportunity to seek more funding from the Province.
- The problem is more than the highway; there is an impact on the surrounding roads.

B. Von Schulmann, Orillia Street:

Ride-Sourcing Economy:

- The current taxi system would not survive if alternative ride-share businesses are allowed.

Terms of Reference – EDPA:

- There have been multiple opportunities for public consultation; the process needs to move forward.

McKenzie Interchange:

- The design of the proposed interchange is flawed.

R. Wickson, President, Gorge Tillicum Community Association:

McKenzie Interchange:

- Investment should be made in the transit, pedestrian and cycling environments; MOTI has not considered options.
- If this is done incorrectly, Saanich has more to lose than any other municipality in the region; Cuthbert Holmes Park is invaluable and cannot be replaced.

S. Haddon, James Heights:

Draft Terms of Reference – EDPA:

- Option 1 for public consultation should be considered with modifications; it is the most expeditious option.
- It is unlikely that any new information will come forward; the Terms of Reference should state that the consultant must come from outside the region and has experience with environmental issues and concerns.

- To avoid the perception of undue interference by any one individual or group, the consultant should report to an ad hoc group comprised of Saanich's Chief Administrative Officer, Environmental Services staff, two Councillors and two members of the public.

P. Wing, Kincaid Street:

Draft Terms of Reference – EDPA:

- Hiring an independent consultant would be appreciated; the Terms of Reference should not limit options and should instead provide the consultant with the latitude to come up with solutions.
- The consultant should consider providing financial compensation where property owners have been adversely affected.
- The benefits of the EDPA are recognized.

H. Charania, President, North Quadra Community Association:

Draft Terms of Reference – EDPA:

- Options 1 or 2 in relation to public consultation are supportable if the process is expedited; ground verification is needed to confirm or amend mapping.
- The public wants an independent and competent team of consultants; key staff members could be utilized to provide information to the consultant.
- A small committee of no more than three Council members could manage the process.
- It may be beneficial to hire a consultant from outside the region.

McKenzie Interchange:

- An Advisory Committee could be formed with members of the community and MOTI to discuss options.

J. Gamache, Burnside Road:

McKenzie Interchange:

- Concerns include safety, traffic flow and air quality at the intersection of McKenzie Road and Highway 1; the design should consider the impacts to Cuthbert Holmes Park and the natural environment.

R. Sharma, Bissenden Place:

Draft Terms of Reference – EDPA:

- An independent consultant is necessary as is further consultation.

Ride-Sourcing Economy:

- Safety of passengers should be paramount; cameras in vehicles should be mandatory.

G. Weir, Lucas Avenue:

Terms of Reference – EDPA:

- The purpose of the EDPA is to maintain and improve the connectivity of our sensitive ecosystems; the process must be fair and based on science.
- Only 5% of the original extent of the Garry oak ecosystem remains in Saanich; development proposals should not be permitted to interrupt the linkages of our ecosystems.
- The implementation of the EDPA has been flawed; the scale of mapping was not intended for regional planning purposes. This needs to be corrected and new mapping produced.
- Saanich should pay professional biologists to undertake independent reviews.

A. Sutherland, Newbury Street:

McKenzie Interchange:

- The interchange project should consider the impact on the Colquitz River and noise; Cuthbert Holmes Park should be preserved for future generations.

B. Williamson, Eldon Place:

McKenzie Interchange:

- Cuthbert Holmes Park is a jewel in the municipality and needs to be protected.
- He is in support of the views of the two advisory committees.

B. Bridgeman, Elnido Road:

McKenzie Interchange:

- Cuthbert Holmes Park is important and it needs to be preserved; the proposed construction of the interchange may also affect the Colquitz River.
- The Province owns some of the property in Cuthbert Holmes Park and they will use it for the interchange; another solution must be considered.

Ride-Sourcing Economy:

- Concerns include safety of passengers and lack of insurance; the public should support a living wage for taxi drivers.

S. Hira, Holland Avenue:

Ride-Sourcing Economy:

- Ride-share businesses are a threat to the taxi economy; they must be made to abide by Transportation Safety Board regulations and ICBC insurance requirements in order to uphold passenger safety and accountability. Other safety and accountability standards such as the use of GPS, security cameras and meters, and regular mechanical maintenance should also be required.
- Safety of passengers is paramount; the taxi business in Victoria has created a centralized dispatch and an app to better serve the public.
- The Provincial review will include public consultation; Council is requested to support a balanced, regulatory playing field.

L. Adam, Mountain Road:

Draft Terms of Reference – EDPA:

- A report must be independent from staff and include all feedback from the public.

J. Anderson, Gorge Road West:

McKenzie Interchange:

- The interchange will not result in a difference in travel time; Cuthbert Holmes Park is a gem and has ecological value.
- An alternative option should be considered; if the current proposal goes forward, the Provincial and highway owned lands should be transferred to Saanich.
- The Province needs to be held to their promises that additional plantings will take place and invasive species management will be undertaken.

A. Bull, Wilkinson Road:

Terms of Reference – EDPA:

- Current President of Saanich Citizens for a Responsible EDPA Society. The report and process should be seen as independent; environmental stewardship initiatives should be encouraged and supported.

- The OCP should guide the Terms of Reference for the EDPA review.
- An independent, collaborative approach should be used to improve the EDPA bylaw and should include stakeholder and land owner input; Saanich needs to be seen as a leader in the maintenance and restoration of biodiversity in parks.
- The Saanich Citizens for a Responsible EDPA Society support Option 3.

M. Beauchamp, San Marino Crescent:

Draft Terms of Reference – EDPA:

- Option 1 for consultation is preferred; it avoids the perception that interested groups may affect conclusions.
- Stewardship should be encouraged and supported; Pulling Together volunteers work at removing invasive species from public parks; environmentally sensitive areas in parks are not being lost to development.
- Saanich should be leaders in environmental management and ensure responsible development; these decisions affect the environmental future.

McKenzie Interchange:

- The McKenzie Interchange is a way to move residents of other municipalities through Saanich; Cuthbert Holmes Park needs to be preserved.

L. Layne, San Lorenzo Avenue:

McKenzie Interchange:

- There is a need to change commuter habits and reduce greenhouse gases; the interchange is a large footprint that does not fit within our Climate Action goals.
- There are concerns with environmental impacts, including removal of Garry oak trees, noise pollution, and reduction of parkland; people need to be encouraged to use alternative modes of transportation.
- Construction of an interchange is not supportable; instead, the highway should have a dedicated bus and car pool lane in each direction.
- To promote public transit use, the Province could fund free transit passes for three months.

P. Loadman, Walter Avenue:

McKenzie Interchange:

- MOTI's Environmental Review does not include recommendations; Council is urged to engage an expert to assess the review and put it into context when considering designs for the interchange.
- Public consultation should include Community Associations, groups and residents of Saanich.

C. Thomson, Prospect Lake Road:

Draft Terms of Reference – EDPA:

- The principles of the EDPA are supportable, but the level of distress on residents is disturbing; it is important to preserve the environment for future generations.
- Option 1 for consultation is preferable; a tremendous amount of consultation has already taken place.
- It is important to move forward.

McKenzie Interchange:

- MOTI's Environmental Assessment identifies the loss of rare ecosystems; there is concern with the proximity of the interchange to the Colquitz River, the Victoria Harbour Migratory Bird Sanctuary and the heron nest rookery.

- The final details of the impacts on the park should be re-visited; Saanich needs to take a leadership role and write to the Province to ask them to consider Mr. Wickson's report.

C. Besler, Daisy Avenue:

McKenzie Interchange:

- The Province has chosen the wrong design; Cuthbert Holmes Park can never be replaced.
- Council is encouraged to stand up for the park and the preservation of the Colquitz River.

R. Lucey, ECOS:

Draft Terms of Reference – EDPA:

- It is a complex challenge to balance the rights of property owners with the need to protect the environment; the desired future condition is smart, clean and green.
- The public must be engaged throughout the process; the consultant team should have proven facilitation and conflict resolution expertise.
- The consultant should provide biological and ecological criteria with a clear method of assessment; the consultant should also recommend additional policy tools such as incentives that provide greater support to property owners.
- It is important to move from regulation to education and to work with property owners.

J. Gye, ECOS:

Draft Terms of Reference – EDPA:

- A two-phased public engagement strategy which builds on the three options recommended by staff could be considered.
- In Phase 1, the consultant would collate and summarize the public input received to date; Phase 2 would include further discussion on the summary report to come up with innovative ideas that supports the goals of the EDPA.
- Greater clarity of the goals and objectives of the EDPA bylaw, improved policy guidelines and an effective adjudication process would result.

H. Bell, Arlene Place:

McKenzie Interchange:

- Improved public transit and cycling infrastructure would be appropriate; the park should not be sacrificed for an interchange.
- More innovative solutions should be considered.

L. Husted, Cyril Owen Place:

Draft Terms of Reference – EDPA:

- There has been a lot of public engagement; Options 1 or 2 are preferable to expedite the process.
- The consultant should come from outside the region; the review should include the current status of ecosystems within the municipality.
- Sensitive Ecosystems Inventory policy statements from other municipalities should be reviewed.

Councillor Plant left the meeting at 9:32 p.m.

BYLAWS

2870-30
Lurline Avenue

40 LURLINE AVENUE – REZONING TO RD-1

Second and Third Readings of “Zoning Bylaw, 2003, Amendment Bylaw, 2016, No. 9352”. To rezone from RS-6 (Single Family Dwelling) zone to RD-1 (Two Family Dwelling) zone to expand a legal non-conforming duplex.

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

- 1. The application to rezone the property at 40 Lurline Avenue from RS-6 (Single Family Dwelling) zone to RD-1 (Two-Family Dwelling) zone be approved; and**
- 2. Final Reading of the Zoning Amendment Bylaw and ratification of the Development Permit be withheld pending registration of a covenant to secure the following:**
 - a) Decommissioning of one of the existing two kitchens; and**
 - b) The proposed addition be constructed to an EnerGuide 82 or equivalent energy efficiency standard, inclusion of heat pumps and pre-ducting for solar ready.”**

CARRIED

MOVED by Councillor Brownoff and Seconded by Councillor Wergeland: “That Bylaw No. 9352 be read a second time.”

CARRIED

Councillor Plant returned to the meeting at 9:34 p.m.

MOVED by Councillor Brownoff and Seconded by Councillor Wergeland: “That Bylaw No. 9352 be now passed.”

CARRIED

MOVED by Councillor Derman and Seconded by Councillor Brice: “That it be recommended that Council approve and issue Development Permit DPR00593 on Lot 9, Block 1, Section 81, Victoria District, Plan 1006 (40 Lurline Avenue).”

CARRIED

RESOLUTIONS FOR ADOPTION

1220-20
EDPA Bylaw

DRAFT TERMS OF REFERENCE – ENVIRONMENTAL DEVELOPMENT PERMIT AREA (EDPA) REVIEW

Report of the Director of Planning dated April 18, 2016 recommending that Council endorse the draft Terms of Reference with direction for any changes and that Council give direction on the desired level of public engagement.

Councillor Plant circulated suggested changes to the draft Terms of Reference for the EDPA review for discussion and consideration. The suggested changes relate to the Scope of Work as noted in the staff report dated April 18, 2016.

Councillor Plant stated:

- The intent was that all relevant documents, including the Official Community Plan (OCP) and *Local Government Act*, would be considered when the consultant reviews the EDPA bylaw.

It was the consensus of Council that the suggestions from Councillor Plant for the Scope of Work in the Draft Terms of Reference for the EDPA be reviewed bullet by bullet.

Bullet No. 1:

MOVED by Councillor Plant and Seconded by Councillor Haynes: "That Bullet No. 1 read as follows: "Saanich Council wishes to engage consulting services with experience and expertise in creating local government tools to protect the natural environment. The consultant will:"

CARRIED

Bullet No. 2:

MOVED by Councillor Plant and Seconded by Councillor Haynes: "That Bullet No. 2 read as follows:

1. **"Review Saanich's Environmental Development Permit Area Bylaw and make recommendations for improving and clarifying the intent of the bylaw."**

Councillor Derman stated:

- The purpose of consultation is to look at the process of application of the bylaw and accomplishing the goals of the EDPA.

MOVED by Councillor Derman and Seconded by Councillor Brice: "That the motion be amended as follows: Review Saanich's Environmental Development Permit Area bylaw and make recommendations for improving the process of accomplishing Council's goals of preservation of sensitive ecosystems and provision of opportunities for restoration."

Councillor Plant stated:

- The intention of the bylaw needs to be clarified.

Councillor Haynes stated:

- Having the consultant review the intent of the bylaw is appropriate.

Councillor Sanders stated:

- The intent of the bylaw is outlined in the Policy Context in the Draft Terms of Reference.

**The Amendment to the Motion was DEFEATED
with Mayor Atwell and Councillors Haynes, Murdock, Plant and Wergeland
OPPOSED**

Councillor Derman stated:

- The intent of the EDPA bylaw is outlined in various documents, including the OCP.

The Chief Administrative Officer stated:

- It may be appropriate to remove the word “intent” from the Motion; the consultant would work towards improving and clarifying the bylaw.

MOVED by Councillor Plant and Seconded by Councillor Haynes: “That the Motion be amended to remove the words “the intent of” from the main Motion.”

The Amendment to the Motion was CARRIED

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

Bullet No. 3:

MOVED by Councillor Plant and Seconded by Councillor Haynes: “That Bullet No. 3 read as follows:

3. “Conduct any public engagement as outlined by Saanich Council according to the District of Saanich Public Participation Policy and Public Participation Toolkit.”

CARRIED

Bullet No. 4:

MOVED by Councillor Plant and Seconded by Councillor Haynes: “That Bullet No. 4 read as follows:

4. “Research other comparable municipalities and their approaches to natural area protection.”

Councillor Plant stated:

- Residents have expressed the desire to research approaches of municipalities outside the region.

Councillor Derman stated:

- Other municipalities outside the region have created different approaches that may be interesting to review.

Councillor Haynes stated:

- The Motion gives the consultant flexibility to research the approaches of other municipalities.

Councillor Brice stated:

- The consultant could determine which municipalities to approach.

The Motion was then Put and CARRIED

Bullet No. 5:

MOVED by Councillor Plant and Seconded by Councillor Haynes: “That Bullet No. 5 read as follows:

5. “Refer to relevant documents such as, but not limited to:

- *The Local Government Act*
- **Review of Saanich Marine Shoreline Resources and Options for Protection**

- **The Green Bylaws Toolkit**
- **Develop with Care**
- **The Stewardship Series, including Greenshores**
- **The Conservation Manual (of the Sensitive Ecosystems Inventory)**
- **Recovery Strategy for Garry Oak and Associated Ecosystems and their Associated Species at Risk in Canada, 2001-2006.”**

Councillor Plant stated:

- The consultant would not be limited to looking at other documents and legislation.

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

- The consultant would review all relevant documents including the OCP and the framework under which the EDPA and OCP were developed.

Councillor Murdock stated:

- The consultant would review all material that is relevant including policies and practices.

The Motion was then Put and CARRIED

Bullet No. 6:

MOVED by Councillor Plant and Seconded by Councillor Haynes: “That Bullet No. 6 read as follows:

6. “Meet with members of Saanich Citizens for a Responsible EDPA Society (SCRES), Saanich Advocates for the Environment (SAFE), Council members, biologists who submitted correspondence to Council and staff to discuss the scope of the project and current practice at the onset. This can include the recommendations received on how to conduct the Terms of Reference.”

Councillor Plant stated:

- Including members of the public in meetings may alleviate concerns that a report would be staff-driven.

Councillor Haynes stated:

- There may be value in having an ad hoc committee involved in the process from the beginning.

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

- Including stakeholders in the process is not unusual and minimizes the perception of biases.

Councillor Plant stated:

- The consultant could meet with Council individually.

Councillor Sanders stated:

- The Scope of Work may too prescriptive and may mean decreased independence for the consultant.

Councillor Brice stated:

- It is important to include stakeholders in discussions in relation to the Scope of Work; it may alleviate concerns later on in the process.

Councillor Murdock stated:

- Direction is needed for the Scope of Work; there needs to be a definition on what is expected for the report.

Councillor Plant stated:

- Discussing current practice at the onset is important; residents need to know what to expect.

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

- Meeting with stakeholders would give the consultant an understanding of the various perspectives.

MOVED by Councillor Murdock and Seconded by Councillor Plant: “That the motion be amended to remove the words “scope of the project and”.

The Amendment to the Motion was CARRIED

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

Bullet No. 7:

MOVED by Councillor Plant and Seconded by Councillor Haynes: “That bullet number 6 in the Scope of Work for the Draft Terms of Reference for the Environmental Development Permit Area read as follows:

7. **“Review materials provided by the District of Saanich:**
 - a. **Minutes and existing staff reports of relevant Council meetings.**
 - b. **Economic Studies (Rollo and Associates, BC Assessment Authority).**
 - c. **Public feedback from the check in process (staff report).**
 - d. **All submissions from individuals or organizations within Saanich.**
 - e. **Official Community Plan and other policy documents.”**

MOVED by Councillor Plant and Seconded by Councillor Derman: “That the motion be amended to remove “within Saanich” under item (d).”

The Amendment to the Motion was CARRIED

The Main Motion, as Amended, was CARRIED

Bullet No. 8:

MOVED by Councillor Plant and Seconded by Councillor Haynes: “That Bullet No. 8 read as follows:

8. **“Prepare a draft report for review by the public (including SCRES, SAFE, Council members, biologists who submitted correspondence to Council) and staff (including Legal, Finance, Planning, Engineering, Parks and Recreation, and Administration) which will cover:**
 - a. **Study scope, background and methodology.**
 - b. **Study objectives and measures of success.**
 - c. **Identification and analysis of options.**

- d. **Recommendations for improvements to the bylaw, implementation and stewardship of private property.**
- e. **Discussion of the context of the recommendations such as the OCP, approaches by other municipalities, expected outcomes.**
- f. **Overview of process and resources required to implement the recommendations.**
- g. **Outline on-going evaluation and monitoring of the measures of success.”**

Councillor Plant stated:

- The consultant will prepare a draft report which will be presented to the general public for feedback; this step will provide additional transparency into the process.

Councillor Murdock stated:

- Feedback on the draft report would be valuable.
- There is the likelihood that a lot of feedback would be received and this may become an extensive component of the consultant's work; prioritizing the feedback will have to be built into the Request for Proposal.

Councillor Derman stated:

- Receiving feedback will lengthen the process and may increase the consultant's fees for service.
- There is a need to provide a sufficient amount of time to receive feedback from the public.

Mayor Atwell stated:

- Stakeholders would be involved at various stages in the process; prioritizing the volume of information received may be a concern.

The Motion was then Put and CARRIED

Bullet No. 9:

MOVED by Councillor Plant and Seconded by Councillor Haynes: “That Bullet No. 9 read as follows:

9. “Prepare a final report using feedback from the public (including SCRES, SAFE, Council members, biologists who submitted correspondence to Council) and staff on the draft report.”

CARRIED

Bullet No. 10:

MOVED by Councillor Plant and Seconded by Councillor Haynes: “That Bullet No. 19 read as follows:

10. “Present the final report to Council at a Committee of the Whole meeting and respond to questions from Council.”

CARRIED

MOVED by Councillor Plant and Seconded by Councillor Haynes: “That, in accordance with the District of Saanich Public Participation Policy and Public Participation Toolkit, Council approve Option 1 as the desired level of public engagement to take place in relation to the Draft Terms of Reference for the Environmental Development Permit Area Review.”

Councillor Plant stated:

- The public has had numerous opportunities to provide input already and there will be occasions to provide input throughout the review process.

Councillor Derman stated:

- The Scope of Work includes elements of options 2 and 3; option 1 is a good compromise.

Councillor Brice stated:

- Option 1 would allow the process to move forward quicker; there is the need to keep the momentum going.

Councillor Wergeland stated:

- Option 1 is supportable; it would be helpful to know what the timelines are for completing the process.

Councillor Haynes stated:

- A great deal of feedback has already been received; reviewing the feedback may help to direct the process.

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

- There were funds allocated in the budget for the review.

Councillor Brownoff stated:

- The public and staff are to be commended for the work to date; it is important to protect ecosystems.

Councillor Sanders stated:

- The public have advised that adequate opportunities for input were given and wants to move forward with the process; option 1 is supportable.

Councillor Murdock stated:

- The consultant will provide direction on how much time they feel the process will take.

Mayor Atwell stated:

- There is an expectation that public consultation will take place throughout the process; there is only once chance to get it right.
- Solutions will be reflective of the public's values; option 3 may be more appropriate.

Councillor Plant stated:

- The options outlined in the report of the Director of Planning have been changed due to the revisions to the Scope of Work; the public will have additional opportunities throughout the process to provide input.

Councillor Haynes stated:

- The Requests for Proposals will include tentative timelines; the process will include opportunities for the public to inform, consult, be involved and collaborate.

Councillor Derman stated:

- Stakeholders include all citizens of Saanich and all future citizens of Saanich.

Councillor Wergeland stated:

- It is important to have a good process; the public will have numerous chances to provide input throughout the process.

**The Motion was then Put and CARRIED
with Mayor Atwell OPPOSED**

RECOMMENDATIONS FROM COMMITTEES

2190-20
McKenzie
Interchange

MCKENZIE INTERCHANGE

Recommendation from the March 17, 2016 Bicycle and Pedestrian Mobility Advisory Committee meeting that:

- 1) The proposed option for the McKenzie Avenue/Highway 1 interchange provided by the Ministry of Transportation and Infrastructure is contrary to the Regional Growth Strategy and does not promote alternative modes of transportation; and
- 2) Council write a letter to the Ministry of Transportation and Infrastructure (MOTI) recommending that the option presented by Mr. Rob Wickson receive the same level of consideration and evaluation by MOTI as those options brought forward by the Ministry itself.

Councillor Derman stated:

- The proposed option is not consistent with the Regional Growth Strategy and the goals of the Official Community Plan (OCP); the proposed interchange will move the congestion to the next traffic light.
- It encourages the use of single occupant vehicles; there is a need to shift the transportation mode to cycling, pedestrian and public transit.
- The Galloping Goose will be moved to accommodate the cloverleaf design; this affects the cycling network in that the route is less direct.
- The pedestrian overpass will be longer and less direct; the chosen option will move vehicles faster onto McKenzie Avenue where they will be stopped by traffic lights.
- The cloverleaf design also means that a portion of Cuthbert Holmes Park will be developed.
- Other options have potential and should be examined.

MOVED by Councillor Derman and Seconded by Councillor Haynes: “That Council write a letter to the Ministry of Transportation and Infrastructure for the Province of British Columbia requesting, and strongly recommending, that the option presented by Mr. Rob Wickson, and other potentially viable options for the interchange at McKenzie Avenue, Admirals Road and the Trans-Canada Highway receive the same level of consideration and evaluation by the Ministry as those options which the Ministry has brought forward itself.”

Councillor Brice stated:

- BC Transit has been involved in discussions with the Ministry of Transportation and Infrastructure (MOTI) and the Transit Future Plan adopted by the region has been considered.

MOVED by Councillor Murdock and Seconded by Councillor Brice: “That the meeting extend past 11:00 p.m.”

CARRIED

Councillor Haynes stated:

- The Province did not address the concerns of community groups nor did they comment on the alternate options that were provided.

Councillor Brownoff stated:

- Investment in alternative modes of transportation is more appropriate; the proposed construction will impact Cuthbert Holmes Park and the Colquitz River.
- The proposed interchange will have a bigger impact on Saanich than any other municipality in the region; improvements to the Galloping Goose will be done first.
- Of all the proposed designs, the cloverleaf has the biggest impact on the environment.

Councillor Derman stated:

- He is pleased to hear that BC Transit has been involved in discussions with the Province; that was not the case for cycling and pedestrian groups.

Councillor Brownoff stated:

- The Province is holding another Open House on May 18, 2016 at 3:30 p.m.; it will be another opportunity to raise concerns in relation to the proposed design.

MOVED by Councillor Plant and Seconded by Councillor Haynes: “That the motion be amended to include: that clarification be sought on why the option presented by Mr. Wickson was not considered to be viable.”

Councillor Wergeland stated:

- Council and staff have been involved in discussions with the Province; the Province is aware of the concerns in relation to Cuthbert Holmes Park.
- It may be too late to effect changes to the design.

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

- The interchange could mean improvements to the movement of goods and economic development; Saanich’s goals have been in line with the OCP and seeing improvements to the pedestrian, cycling and transit infrastructure related to the project, as well as impacts to storm water management and impacts to the park.
- Staff continue to provide detailed comments on the design.

Mayor Atwell stated:

- The concerns of Saanich residents have not been addressed in the summary reports from the Province; Saanich has a larger stake in the proposed construction.
- The design could be improved to encourage mode shift; other options should be considered.

The Amendment to the Motion was CARRIED

MOVED by Councillor Plant and Seconded by Councillor Haynes: "That the motion be further amended to include: that the Ministry of Transportation and Infrastructure postpone the Open House scheduled for May 18, 2016 until after the Ministry provides a reply on why the option presented by Mr. Wickson was not considered to be viable."

Councillor Plant stated:

- The Community Associations' input has not been addressed; there is still time to have further public consultation as the Ministry has said the construction will not start until the end of the year.

Mayor Atwell stated:

- A number of designs were submitted to the Ministry; sending a letter to the Ministry outlining the concerns is appropriate.

Councillor Murdock stated:

- A letter commenting on the perceived failure of the consultation process and then recommending that the Open House be postponed may send a mixed message to the Province.

Councillor Plant stated:

- The meeting on May 18th does not include public input; postponing the meeting will allow the Community Association a chance to be heard.

**The Amendment to the Motion was DEFEATED
With Mayor Atwell and Councillors Brice, Brownoff, Murdock, Sanders and
Wergeland OPPOSED**

The Main Motion, as Amended, was CARRIED

Motion as Amended:

"That Council write a letter to the Ministry of Transportation and Infrastructure for the Province of British Columbia requesting, and strongly recommending, that the option presented by Mr. Rob Wickson, and other potentially viable options for the interchange at McKenzie, Admirals and the Trans-Canada Highway receive the same level of consideration and evaluation by the Ministry as those options which the Ministry has brought forward itself; and clarification be sought on why the option presented by Mr. Wickson was not considered to be viable."

MOVED by Councillor Derman and Seconded by Councillor Haynes: “That Council express concern that the interchange project is single occupancy vehicle-oriented and ask the Ministry to explain how they intend to support regional and municipal goals to accomplish a modal shift to transit, cycling and walking.”

Councillor Derman stated:

- The Ministry's actions need to be consistent with regional and municipal goals; it is worthy to put the Ministry on notice for projects that may take place in the future.
- Most of the money in this project is going towards easing the use of single occupant vehicles and that is not reflective of the priorities of the municipality.

Councillor Wergeland stated:

- It is too late to make changes to the project; it may be appropriate to ask for improvements.

Mayor Atwell stated:

- In the past, the Ministry has provided funding for projects that support our goals.

Councillor Brice stated:

- The Ministry has commented that public transit is a priority.

Councillor Brownoff stated:

- The region has been advocating for multi-modal transportation improvements.

Councillor Haynes stated:

- The interchange will assist with the movement of goods up-island; there is more than passenger vehicles to be considered.

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

2150-20
Cuthbert
Holmes Park
Management
Plan

MCKENZIE INTERCHANGE

Recommendation from the April 27, 2016 Parks, Trails and Recreation Advisory Committee meeting that Council direct staff to work with the Ministry of Transportation and Infrastructure so that the McKenzie Road Interchange Project will result in significant improvements to the Cuthbert Holmes Park environment and surrounding environment in accordance with the 2015 Cuthbert Holmes Park Management Plan.

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

WHEREAS:

Cuthbert Holmes Park is a signature park in Saanich with high environmental values; and

Cuthbert Holmes Park is a popular natural area that promotes and demonstrates respect for the natural environment through progressive management and nature-based recreational opportunities; and

Park management is guided by the Cuthbert Holmes Management Plan approved by Council in September 2015; and

The Garry oak knoll on the north side of the Trans-Canada Highway is listed provincially as a sensitive ecosystem; and

The Provincial McKenzie Interchange Project will have significant and permanent impacts on the park and surrounding natural environment including permanent loss of ecosystems:

That Council work with the Ministry of Transportation and Infrastructure with the expectation that the outcome of the McKenzie Interchange Project results in significant improvements to Cuthbert Holmes Park and the surrounding natural environment with specific focus on, but not limited to:

- 1. Transfer of MOTI lands along the north edge of the Cuthbert Holmes Park to Saanich ownership;**
- 2. Transfer of the provincially-held lands to Saanich ownership;**
- 3. Enhancement of the Colquitz River and estuary;**
- 4. Protection of existing wildlife habitat;**
- 5. Recognition of valuable ecosystems through restoration or compensation;**
- 6. Full financial support for Cuthbert Holmes Park in the form of an annual operating fund; and**
- 7. A legacy fund to be used for further land acquisitions or projects in Cuthbert Holmes Park and surrounding natural environment.”**

Councillor Brice stated:

- This may be the opportunity to accomplish long-term goals for the park; it is important to transfer the land to Saanich ownership and secure it in perpetuity as parkland.

Councillor Brownoff stated:

- The construction of the interchange will have a significant impact on Cuthbert Holmes Park; it is unclear what mitigation efforts will take place as a result of the interchange.

Councillor Derman stated:

- The cloverleaf design impacts Cuthbert Holmes Park and will do nothing to reduce congestion.

Councillor Haynes stated:

- Cuthbert Holmes Park is a gem that needs protecting for future generations.

Councillor Murdock stated:

- The cloverleaf design is the most intrusive option into Cuthbert Holmes Park and will result in a permanent loss of ecosystems.

MOVED by Councillor Murdock and Seconded by Councillor Derman: “That the Motion in the 5th paragraph be amended to include: and the option selected will have the most intrusive impact on Cuthbert Holmes Park.”

The Amendment to the Motion was CARRIED

MOVED by Councillor Murdock and Seconded by Councillor Haynes: “That the Motion in the 6th paragraph be amended to include: That Council request MOTI to undertake a more rigorous Environmental Assessment in relation to the potential impacts on Cuthbert Holmes Park and those findings be made public.”

The Amendment to the Motion was CARRIED

Councillor Sanders stated:

- It is disappointing that the option chosen will have an adverse effect on the park.

The Main Motion, as Amended, was CARRIED

MOVED by Councillor Derman and Seconded by Councillor Haynes: “That given the proposed cloverleaf is the most intrusive option and will have a detrimental effect on Cuthbert Holmes Park, and given that the cloverleaf option will likely only congest McKenzie corridor more, Council requests the Ministry of Transportation and Infrastructure re-consider the cloverleaf option and re-consider choosing another option for the proposed interchange at McKenzie Avenue and Highway 1.”

Councillor Derman stated:

- The cloverleaf design has the greatest impact on the park; it will not change net travel times for vehicles proceeding on McKenzie Avenue.

Councillor Murdock stated:

- Residents are frustrated and upset with the design of the interchange and the impact on the park; the Management Concept Plan for Cuthbert Holmes Park will be effected.

Councillor Plant stated:

- The intersection at McKenzie Avenue and Burnside Road was not addressed in the study.

The Motion was then Put and CARRIED with Mayor Atwell and Councillors Brice and Wergeland OPPOSED

The Manager of Environmental Services left the meeting at 12:05 a.m.

REPORTS FROM MEMBERS OF COUNCIL

1410-04
Report –
Council

xref: 2190-45
Ride-Sourcing
Economy

PROVINCIAL AND MUNICIPAL IMPACTS OF THE SHARE ECONOMY

Report from Councillor Haynes dated April 22, 2016 recommending that Council write a letter to Minister Fassbender in support of the Provincial review of the ride-sourcing economy and advising that the District looks forward to participating in the consultation process. Revised report circulated at the meeting.

MOVED by Councillor Haynes and Seconded by Councillor Brownoff: “That Council write a letter to Minister Fassbender supporting the Provincial review of the share economy in all its aspects including those unregulated businesses that source passenger rides and accommodations, and that the District look forward to seeing a balanced regulatory playing field, and to participating in the consultation process once the report is available.”

Councillor Haynes stated:

- Ride share businesses are not regulated; technology gives an unfair advantage to ride share businesses.
- Safety of passengers is paramount; local businesses such as the airport and hotels lose out on fees paid by taxis.
- A balanced regulatory playing field is important; new technology is coming for local taxis businesses.
- All aspects of the unregulated share economy, including accommodations, should be reviewed.

Councillor Brownoff stated:

- The share economy is not inherently sustainable; it is appropriate to request that the Ministry review the share economy.

Councillor Murdock stated:

- Having a balanced regulatory playing field should be the crux of the review; safety of passengers and protection of the interests of the driver is vital.
- A consultation process is appropriate.

Councillor Sanders stated:

- A balanced regulatory playing field is supportable, as is supporting local businesses.

Councillor Derman stated:

- It does not make sense to let a business circumvent a regulatory system.

Councillor Brice stated:

- She looks forward to reviewing a discussion paper and participating in future discussions.

**The Motion was CARRIED
with Mayor Atwell OPPOSED**

Adjournment

On a motion from Councillor Brice, the meeting adjourned at 12:27 a.m.

The meeting reconvened at 1:38 a.m.

RECOMMENDATIONS

From the Committee of the Whole Meeting held May 9, 2016

2860-20
Quadra Street

3940 QUADRA STREET – DEVELOPMENT PERMIT AMENDMENT

MOVED by Councillor Plant and Seconded by Councillor Wergeland: “That Council approve and issue Development Permit Amendment DPA00858, amending DPR91-0016, on Lot 2, Section 32, Victoria District, Plan 31953 (3940 Quadra Street).”

CARRIED

Adjournment On a motion from Councillor Wergeland, the meeting adjourned at 1:39 a.m.

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MAYOR

I hereby certify these Minutes are accurate.

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MUNICIPAL CLERK

DISTRICT OF SAANICH
MINUTES OF THE COMMITTEE OF THE WHOLE MEETING
HELD IN THE COUNCIL CHAMBERS
SAANICH MUNICIPAL HALL, 770 VERNON AVENUE

MONDAY, MAY 09, 2016

MEETING CALLED TO ORDER AT 12:28 A.M. (TUESDAY, MAY 10, 2016)

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

1410-04
Report –
Planning

3940 QUADRA STREET – DEVELOPMENT PERMIT AMENDMENT

Report of the Director of Planning dated April 18, 2016 recommending that Council approve Development Permit Amendment DPA00858 to remove the existing wooden entrance vestibule and replace it with a new steel and glass vestibule at the Keg Restaurant building on Quadra Street.

xref: 2860-20
Quadra Street

APPLICANT:

R. Halliday, Number Ten Architectural Group, presented to Council and highlighted:

- The existing wooden entrance and vestibule would be replaced with a new steel and glass vestibule; the new glass vestibule would expose the walls of the heritage building behind it.

In response to a question from Council, the applicant stated:

- The construction would take place over the summer.

PUBLIC INPUT:

Nil

COUNCIL DELIBERATIONS:

MOVED by Councillor Brice and Seconded by Councillor Plant: "That it be recommended that Council approve and issue Development Permit Amendment DPA00858, amending DPR91-0016, on Lot 2, Section 32, Victoria District, Plan 31953 (3940 Quadra Street)."

Councillor Plant stated:

- This is an attractive improvement to the building.

Councillor Haynes stated:

- The addition of an accessibility ramp is appreciated.

Councillor Murdock stated:

- The proposed changes are complimentary to the heritage aspects of the building; it is regretful that the owner has declined to add the building to the Heritage Registry.

Councillor Sanders stated:

- The owner should consider including a heritage display to speak about the history of the building; future consideration to include the building in the Heritage Registry would be appreciated.

The Motion was then Put and CARRIED

1410-04
Report -
Planning

Xref: 2860-20
Rainbow Street

4027 RAINBOW STREET – DEVELOPMENT PERMIT AMENDMENT

Report of the Director of Planning dated April 18, 2016 recommending that Council approve Development Permit Amendment DPA00861 to construct a second entrance to the underground parking for the proposed south condo building at Rainbow Hill and to construct a new driveway access to the site from Rainbow Street.

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

- Notification for a development permit amendment would be circulated 10 days prior to the meeting to property owners and occupants within a 50 metre radius of the site.

APPLICANT:

M. Dillistone, K. Dodman, and D. Doore, Aplomado Developments Ltd., presented to Council and highlighted:

- The Rainbow Hill Strata and owners of Rainbow Hill condos were consulted and support the proposal; the North Quadra Community Association had some concerns.
- The proposal is to construct a second entrance to the underground parking for the proposed south condo building and to construct new driveway access to the site from Rainbow Street.
- The second entrance to the underground parking will be screened with landscaping; staff have indicated that access to the site from McKenzie Avenue is not suitable.
- The new driveway would be constructed on the southwest end of the property, across 804, 812 and 820 McKenzie Avenue properties to connect to the intersection of Rainbow Street and Blackberry Road; the proposed driveway will be 6 metres wide complete with curb and gutter and a 1.5 metre wide sidewalk.
- Two trees would be removed but one is in poor condition; the proposed driveway is not in an environmentally sensitive area.
- Development of the three properties on McKenzie Avenue would come forward as a rezoning application at a future meeting.

In response to questions from Council, the applicants stated:

- Discussions have taken place with the owner of the property on Rainbow Street that would be adjacent to the driveway; the property owner has expressed concern with increased traffic and safety.
- The applicant has committed to screen the property from the driveway to minimize the impact on the neighbour.
- It is not feasible to move the driveway further away from the adjacent property.

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

- The preferred location for the driveway is from Rainbow Street and Blackberry Road; another uncontrolled driveway onto McKenzie Avenue is not recommended.

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

- If, in the future, the applicant wished to have driveway access from McKenzie Avenue, the design would have to be altered and come forward to Council as a Development Permit Amendment.
- Moving the driveway south would limit future development on the three residential properties on McKenzie Avenue.

In response to questions from Council, the applicant stated:

- It is not feasible to put the driveway on the south end of the McKenzie properties because of the elevation of the properties in relation to McKenzie Avenue; there would be a significant impact to the trees and landscaping on the properties.
- Driveway access through 820 McKenzie Avenue was considered but staff did not recommend that option; the applicant has committed to closing the accesses to McKenzie Avenue.
- It is a safer to have the access driveway from Rainbow Street and Blackberry Road.

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

- The roadways in the Rainbow Hills Strata are primarily private strata roads; driveway access from Rainbow Street and Blackberry Road is appropriate for this proposal.
- Further discussion could take place in relation to the location of driveway access; there may be room to shift the driveway but pedestrian connectivity should not be jeopardized.

In response to questions from Council, the applicant stated:

- There is approximately two feet of greenspace that could be landscaped to provide screening for the neighbour; the proposed location of the driveway is the best option because it has the least impact on the trees and the environment.
- Further discussions with the neighbour would take place.

Councillor Derman stated:

- It should be noted that the applicant has committed to closing the current accesses on McKenzie Avenue.

PUBLIC INPUT:

H. Charania, President, North Quadra Community Association:

- The Community Association does not support the proposed location of the driveway; the conceptual density of the proposed development is not consistent with the North Quadra Local Area Plan or the Christmas Hill Slope Study.
- There are no assurances that the existing accesses from McKenzie Avenue will be closed; there are safety concerns for the intersection of Rainbow Street, Blackberry Road and the proposed driveway.
- A community amenity contribution has not been considered; the overall impact on the community should be examined.

J. Mark, President, Rainbow Hill Strata Council, stated:

- The Strata Council supports the application; the new proposed driveway increases safety, allows additional access for emergency vehicles, and has less impact on the community.
- The owners that live in the immediate area support the application.

T. Bijold, Rainbow Street, stated:

- Access should have been considered before construction began; the proposed driveway should be constructed on the southerly border of the McKenzie properties or through one of the existing accesses onto McKenzie Avenue with right turn only for entering or exiting.
- The traffic at Rainbow Street and Blackberry Road is already problematic; the proposed driveway will increase congestion and the volume of traffic.

A. Bull, Wilkinson Road, stated:

- The location of the driveway is not appropriate; safety of the adjacent neighbour or the impact on the neighbourhood has not been considered.
- The intersection of Blackberry Road and Rainbow Street is a focal point of the neighbourhood; the community mailboxes are located there and neighbours and children pass through the intersection on a regular basis.
- Future development will also add to the traffic volume in the neighbourhood; more information is needed on the planned development of the area.

- Expert advice is needed to examine the impact on the intersection.

R. McGrath, Rainbow Street, stated:

- The hair pin turn on Rainbow Street is problematic; on-street parking affects site lines and increases safety concerns.
- The concerns identified for the intersection should be addressed before more traffic volume is added.

APPLICANT'S RESPONSE:

- The addition of the proposed driveway will disperse the traffic and pedestrian volumes and may alleviate safety concerns at the intersection.
- A solid fence and screening would be considered to minimize the impact on the adjacent property.
- It may be appropriate to install a crosswalk on Rainbow Street.
- The elevation of the properties on McKenzie Avenue does not allow moving the driveway closer to McKenzie Avenue.

COUNCIL DELIBERATIONS:

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

- Once the accesses on McKenzie Avenue are closed, and if, in the future, the applicant wishes to have the access re-opened, he would have to re-apply.
- There is no legally binding mechanism to enforce the commitment to close the accesses onto McKenzie Avenue.

Councillor Plant stated:

- The commitment to close the accesses on McKenzie Avenue is appreciated.

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

- An uncontrolled driveway onto McKenzie Avenue is not recommended; it would add more conflict to that area.

MOVED by Councillor Murdock and Seconded by Councillor Brice: "That consideration of the Development Permit Amendment application for 4027 Rainbow Street be postponed to allow the applicant to undertake further community engagement and make modifications to the application that addresses concerns."

Councillor Brice stated:

- The applicant and staff should consider a compromise that the neighbour will support.

The Motion was then Put and CARRIED

Adjournment On a motion from Councillor Brownoff, the meeting adjourned at 1:37 a.m.

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CHAIR

I hereby certify these Minutes are accurate

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MUNICIPAL CLERK