

DISTRICT OF SAANICH  
MINUTES OF THE COUNCIL MEETING  
HELD IN THE COUNCIL CHAMBERS  
SAANICH MUNICIPAL HALL, 770 VERNON AVENUE  
**MONDAY, JULY 11, 2016 AT 7:00 P.M.**

Present: **Chair:** Acting Mayor Brice  
**Council:** Councillors Brownoff, Derman, Haynes, Murdock (7:06 p.m.), Plant, Sanders and Wergeland  
**Staff:** Carrie MacPhee, Acting Chief Administrative Officer; Sharon Hvozdanski, Director of Planning; Harley Machielse, Director of Engineering; Donna Dupas, Legislative Manager; and Lynn Merry, Senior Committee Clerk

Minutes **ADOPTION OF MINUTES**

**MOVED by Councillor Derman and Seconded by Councillor Brownoff:**  
**“That Council adopt the minutes of the July 4, 2016 Council and Committee of the Whole meetings.”**

**CARRIED**

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Councillor Murdock entered the meeting at 7:06 p.m.  
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**BYLAWS FOR FINAL READING**

2870-30  
Mortimer Street

**1765 MORTIMER STREET (A PORTION OF) – REZONING TO RS-4**  
Final Reading of “Zoning Bylaw, 2003, Amendment Bylaw, 2016, No. 9360”. To rezone a portion of the subject property from RS-6 (Single Family Dwelling) zone to RS-4 (Single Family Dwelling) zone for a proposed subdivision to create one additional lot for single family dwelling use.

**MOVED by Councillor Haynes and Seconded by Councillor Wergeland:**  
**“That Bylaw No. 9360 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

1410-04  
Report – Council  
(Tree Protection  
Bylaw)

C. Thomson, Prospect Lake Road:  
**“Tree Protection Bylaw” Referral:**  
- Trees help to reduce noise and pollution and contribute to overall health; they are the past inheritance and future legacy.  
- Trees yield a flow of services including water purification, opportunities for recreation and habitat for plants and animals; tree protection should be a priority and the natural capital recognized.  
- Saanich should recognize the economic value of trees and wetlands; Gibsons, BC’s Eco-Asset Strategy should be reviewed and considered.

K. Harper, Bonair Place,:

"Tree Protection Bylaw" Referral:

- The bylaw should be reviewed but should be part of the Environmental Development Permit Area (EDPA) bylaw review; a holistic picture of the environment in Saanich is needed.

C. Davidson, West Saanich Road:

"Tree Protection Bylaw" Referral:

- There may be a need to be more restrictive to protect trees but there are already several bylaws and processes that do so; currently, tree loss is occurring due to climate change and viruses.

A. Bickerton, Burnside Road West:

"Tree Protection Bylaw" Referral:

- It may be necessary to assess the types, amounts and economic value of the Garry oak trees in Saanich; all trees should be protected, not just Garry oaks.
- The municipality's liability insurance may not be sufficient.
- Because of climate change, drought-resistant plants should be planted.

R. Wyksyk, Beam Crescent:

"Tree Protection Bylaw" Referral:

- Restrictive bylaws affect property owners; currently, there are requirements for arborists and biologists to provide reports to allow an owner to work on their property.
- There is a need to control invasive species in Saanich parks.

M. Ford, Excelsior Road:

"Tree Protection Bylaw" Referral:

- The bylaw does need improvement but a review may result in more layers of restricted control; the current bylaw speaks mostly to permitting and punishment and makes it difficult and costly to remove dead or dying trees.
- An objective third-party review would be appropriate.

B. Morrison, Woodhall Drive:

"Tree Protection Bylaw" Referral:

- It would be appropriate to review the bylaw in conjunction with the independent review of the EDPA bylaw.

L. Adams, Mountain Road:

"Tree Protection Bylaw" Referral:

- Trees are dying as a result of climate change; the bylaw is a burden on property owners.

## RECOMMENDATIONS FROM COMMITTEES

3030-30  
Canada's 150<sup>th</sup>  
Sesquicentennial  
Celebration

### CELEBRATING CANADA'S SESQUICENTENNIAL

Recommendation from the June 23, 2016, Arts, Culture and Heritage Advisory Committee meeting that Council request staff to create a plan to celebrate Canada's 150 birthday in July, 2017.

**MOVED by Councillor Sanders and Seconded by Councillor Derman: “That Council request staff create a plan to celebrate Canada’s 150<sup>th</sup> birthday in July, 2017.”**

Councillor Sanders stated:

- The Arts, Culture & Heritage Advisory Committee requests that staff plan 150<sup>th</sup> birthday celebrations in 2017 and looks forward to a number of celebrations taking place.

Councillor Derman stated:

- There may be federal grants available for local celebrations; this is a significant anniversary.

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

- Celebrations would not be limited to July 1<sup>st</sup>; they could take place throughout 2017.

**MOVED by Councillor Plant and Seconded by Councillor Sanders: “That the motion be amended to remove the word July.”**

Councillor Plant stated:

- The amendment allows for celebrations on dates other than July 1<sup>st</sup>.

**The Amendment to the Motion was then Put and CARRIED**

Councillor Brownoff stated:

- Destination Canada is doing 150 vignettes of tourist destinations and Greater Victoria is one of the destinations to be highlighted in a vignette.

Councillor Sanders stated:

- The Arts, Culture and Heritage Advisory Committee recommended a sub-committee be established; the sub-committee will work with staff to coordinate and plan celebrations.
- This motion allows staff to start planning.

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

- Staff will be brainstorming ideas for celebrations; no formal plan has been created at this time.

Councillor Murdock stated:

- He thanks Councillor Sanders and the Advisory Committee for bringing the recommendation forward; he looks forward to reviewing the plans.

Councillor Brice stated:

- The motion speaks to the role that staff will play.

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

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**REPORTS FROM MEMBERS OF COUNCIL**1410-04

Report - Council

xref: 3030-30Canada's 150<sup>th</sup>  
Sesquicentennial  
Celebration**CANADA SESQUICENTENNIAL SUB-COMMITTEE**

Further to the Notice of Motion from the July 4, 2016 Council meeting. Report from Councillor Sanders dated July 7, 2016 recommending that Council support the establishment of a sub-committee of the Arts, Culture and Heritage Advisory Committee to coordinate Canada 150 events with staff and the community.

**MOVED by Councillor Sanders and Seconded by Councillor Murdock: "That Council support the establishment of a sub-committee of the Arts, Culture and Heritage Advisory Committee to coordinate Canada 150 events with staff and the community."**

**MOVED by Councillor Sanders and Seconded by Councillor Derman: "That the motion be amended by adding the words, as follows: Council support, in principle, the establishment of a sub-committee of the Arts, Culture and Heritage Advisory Committee to coordinate Canada 150 events with staff and the community, and that the Arts, Culture and Heritage Advisory Committee prepare Terms of Reference and a budget for consideration."**

Councillor Sanders stated:

- Celebrations will be taking place across the country and there are opportunities for Saanich to participate; there will be grants available that tie into celebrations.
- Celebrations across Canada will start on January 1<sup>st</sup> and continue through to December 31<sup>st</sup>, 2017.
- A sub-committee would work with staff, Community Associations and businesses to be part of Canada 150 events.

Councillor Wergeland stated:

- A sub-committee should include a cross-section of community members.

Councillor Derman stated:

- Terms of Reference could include the composition of the sub-committee; it is appropriate to create a sub-committee where there is an event or issue that requires extra attention.

Councillor Plant stated:

- He believes there will be a lot of interest from members of the public to participate; the work to be done will be shared by staff and the sub-committee.

In response to a question from Council, the Acting Chief Administrative Officer stated supporting the motion "in principle" would allow Council to consider the Terms of Reference and budget before moving forward with the establishment of the sub-committee.

Councillor Haynes stated:

- The Terms of Reference will clarify the role of the sub-committee.

**The Amendment to the Motion was then Put and CARRIED**

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

1410-04  
Report - Council

**“TREE PROTECTION BYLAW, 2014, NO. 9272” REFERRAL**

Further to the Notice of Motion from the July 4, 2016 Council meeting. Report from Councillor Brownoff dated July 6, 2016 recommending that Council refer the “Tree Protection Bylaw, 2014, No. 9272” to the Environment and Natural Areas Advisory Committee for review and possible enhancements that could be made to minimize protected tree loss.

**MOVED by Councillor Brownoff and Seconded by Councillor Derman: “That Council refer “Tree Protection Bylaw, 2014, No. 9272” to the Environment and Natural Areas Advisory Committee for review and possible enhancements that could be made to minimize protected tree loss.”**

Councillor Brownoff stated:

- Referral would address concerns of residents that protected trees are being removed during development without permits.
- The EDPA bylaw review is not being re-visited; Council has adopted a process for the review of the EDPA bylaw and that process will continue.
- New property owners may be not aware of protected trees or the need to protect and maintain them.
- The Environment and Natural Areas Advisory Committee (ENA) would review the bylaw and may make recommendations on items that should be addressed; after review, a report or recommendation would come back to Council for further discussion; further public input would take place at that time.

Councillor Derman stated:

- The “Tree Protection Bylaw” applies to all properties for protection of specific trees; the EDPA bylaw applies to some properties for protection of sensitive ecosystems and possible restoration.
- The purpose of the bylaw was to stop the loss of urban forest in Saanich.
- It is not logical to review the two bylaws together.
- It is not uncommon for bylaws to be reviewed periodically; amendments to the bylaw would require opportunities for public input.

Councillor Sanders stated:

- Residents have expressed concern of the impacts of protected trees and root zones on neighbouring properties.

Councillor Wergeland stated:

- It may be appropriate to postpone the discussion until after the EDPA bylaw review has been completed; the current bylaw is sufficient but may need to be reviewed in the future.

Councillor Murdock stated:

- The bylaw appears to be working but there may be opportunities for improvements; the Tree Protection Bylaw was a result of the Urban Forest Strategy.
- It protects and improves the tree canopy.

Councillor Haynes stated:

- The public has expressed concerns with the current bylaw; the bylaw is integral to the environment and it would have been preferable to have it included as part of the EDPA bylaw review.
- Public education is needed to better explain the bylaw; there may be an opportunity through the review process to address the education piece.

Councillor Brice stated:

- Referral is a first look at opportunities for improvements; it may be recommended that aspects of the bylaw be referred to the EDPA review.

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

- The concerns identified by members of the public and Council in relation to the Tree Protection Bylaw may not necessarily be addressed by aligning the two processes in the EDPA bylaw review.
- The scope of work outlined in the RFP for the EDPA review does not include review of the Tree Protection Bylaw; the bidder on the RFP may not have the expertise to make recommendations.

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

- The Request for Proposal for the EDPA review will be posted within the next 60 days; once the RFP is posted, it would be too late to change the scope of work.

Councillor Murdock stated:

- Advisory committee meetings are open to the public; it would be beyond the mandate of the committee to embark on an independent public review process related to the bylaw.
- ENA would work with staff to make recommendations for Council's review.

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

Adjournment

On a motion from Councillor Plant, the meeting adjourned at 8:15 pm.

The meeting reconvened at 9:17 pm.

**RECOMMENDATIONS**

*From the Committee of the Whole Meeting held July 11, 2016*

2860-20  
West Saanich  
Road

**4349, 4351 AND 4383 WEST SAANICH ROAD – DEVELOPMENT PERMIT AMENDMENT APPLICATION**

**MOVED by Councillor Haynes and Seconded by Councillor Brownoff:**

**“That:**

- a. Council approve and issue Development Permit Amendment DPA00857 on Lot B, Section 8A, Lake District, Plan EPP10139 (4349 West Saanich Road), Lot A, Section 8A, Lake District, Plan EPP10139 (4351 West Saanich Road), and Block A, Section 8A, Lake District (4383 West Saanich Road), excluding the provisions related to the freestanding sign; and,**
- b. The applicant consult with Planning staff to address the concerns raised with the freestanding sign.”**

**CARRIED**

Adjournment

On a motion from Councillor Plant, the meeting adjourned at 9:18 pm.

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 ACTING 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, JULY 11, 2016 AT 8:17 P.M.**

Present:

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

1410-04  
Report -  
Planning

xref: 2860-20  
West Saanich  
Road

### **4349, 4351 AND 4383 WEST SAANICH ROAD – DEVELOPMENT PERMIT AMENDMENT APPLICATION**

Report of the Director of Planning dated June 7, 2016 recommending that Council approve Development Permit Amendment DPA00857 (Rosalie's Village) to alter the on-site vehicle routes, provide additional pedestrian pathways, and alter the entryways to the attached housing units. A building setback variance is requested to allow decks and a variance to the Sign Bylaw is also requested.

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

- Access to the property near the Glanford Avenue and Quadra Street intersection was not considered; there are no proposed turning restrictions at the existing driveways.
- The free-standing sign would not affect site lines.

#### **APPLICANT:**

M. Newell, Joe Newell Architect Inc.; and A. Hudson, Society of Saint Vincent De Paul of Vancouver Island, presented and highlighted:

- The proposed amendment to the on-site vehicle route would be such that the existing driveway to the north would be used to access the underground parking for Rosalie's Village and the additional parking area located at the south of 4383 West Saanich Road; this would divide the traffic and parking between the two driveways equally.
- The original application included patios with trellises which would have required a retaining wall to correct the finished grade; supported decks would eliminate the need for a retaining wall and allow for rain gardens to be constructed.
- There was a proposal in the past for access to the property at the intersection of Quadra Street and Glanford Avenue; the request was not approved because private property cannot be accessed at an intersection with a traffic signal.

In response to questions from Council, the applicant stated:

- The two driveways to the property would improve the flow of traffic.

#### **PUBLIC INPUT:**

M. Henderson, President, Royal Oak Community Association (ROCA), stated:

- ROCA is supportive of the proposal but there is concern about the height and size of the sign; it may be necessary to cut back the trees so the sign is visible.
- The amount of lettering on the sign may be a distraction to drivers.

G. Reid, Savoy Place, stated:

- This is a beautiful and worthwhile project; the sign is out of proportion for the site and it may be necessary to prune the trees so that it is visible.
- There is also concern that Handy Darts may be backed up on West Saanich Road which would compound traffic issues in the area.

P. Whitworth, Vice President, Royal Oak Community Association, stated:

- The sign is in the shape of a very large kiosk; there is concern that the light pollution from the sign may affect the Dominion Astrophysical Observatory and adjacent neighbours.

In response to questions, the applicant stated:

- Because the site includes four properties, there could potentially be four signs along West Saanich Road; the intent was to combine all the addresses and identify the different buildings on one sign.
- The current sign is illuminated; the new sign will be reflective with only the top portion of the sign being illuminated.
- The trees surrounding the sign will not be cut; they are boulevard trees.
- The second driveway is mainly for residents and staff so it may not be appropriate to have a sign at that location.

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

- If Council is concerned about the proposed sign, it could approve the amendments to the Development Permit in relation to the on-site vehicle routes and the entryways to the attached housing units which would allow that work to commence; the applicant would then have the opportunity to address the concerns in relation to the sign.

#### **COUNCIL DELIBERATIONS:**

Councillor Haynes stated:

- Way-finding signs throughout the property may alleviate the need for a large sign.

Councillor Derman stated:

- The public has identified concerns with the size and height of the sign; one sign which is not so over-powering would be appropriate.

Councillor Wergeland stated:

- It may be possible to reduce the size of the sign and still list all the information on it.

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

- There are four properties; three of which are owned by the Society and one owned by Saanich; Saanich leases one property to the Society in a long-term lease.

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

- Of the three lots that Saint Vincent De Paul owns, three could have signs which would have to adhere to the Sign Bylaw.

#### **Motion:**

**MOVED by Councillor Plant and Seconded by Councillor Wergeland: "That it be recommended that:**

- c. Council approve and issue Development Permit Amendment DPA00857 on Lot B, Section 8A, Lake District, Plan EPP10139 (4349 West Saanich Road), Lot A, Section 8A, Lake District, Plan EPP10139 (4351 West Saanich Road), and Block A, Section 8A, Lake District (4383 West Saanich Road), excluding the provisions related to the freestanding sign; and,**
- d. The applicant consult with Planning staff to address the concerns raised with the freestanding sign."**

Councillor Derman stated:

- The applicant should work with staff to address the concerns in relation to the size of the sign; one sign is preferable.

Councillor Brice stated:

- The size and amount of lettering on the sign should be re-visited.

Councillor Murdock stated:

- The desire to announce the individual facilities is understandable; there are ways to do that in a thoughtful and sensitive way.

Councillor Haynes stated:

- There is a need to balance pride of place with the concerns of the community.

Councillor Plant stated:

- The applicant should reconsider the size and permitted copy area of the sign; this is a wonderful initiative for the community.

Councillor Wergeland stated:

- A smaller sign that still meets the intent of the applicant should be considered.

Councillor Sanders stated:

- This is a great development and asset to the community; the size of the sign needs to be reconsidered.

Councillor Brownoff stated:

- The applicant should work with staff to come up with a sign that is sympathetic to neighbours' concerns.

**The Motion was then Put and CARRIED**

1410-04  
Report –  
Planning

xref: 2860-25  
Roy Road

### **1136 ROY ROAD – DEVELOPMENT PERMIT APPLICATION**

Report of the Director of Planning dated June 29, 2016 recommending that Council approve Development Permit DPR00628 and that ratification of the Development Permit be withheld pending registration of a covenant to secure the items outlined in the report.

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

- Council should only consider the Development Permit requirements as they relate to the floodplain; consideration of the form and character is not required.
- The proposed building will not be habitable.

#### **APPLICANT:**

The applicant was not in attendance.

#### **PUBLIC INPUT:**

Z. Fisher, Cherry Road, stated:

- He wonders why a building would be permitted on a floodplain; it is unclear what the height of the proposed building would be.
- The applicant did not provide an opportunity to discuss the application.

G. Maurer, Roy Road, stated:

- The proposed building is too tall and will be an eyesore; he wonders about the ramifications of building on a floodplain.

P. Whitworth, Viewmount Avenue, stated:

- The integrity of the soil in the floodplain is a concern.

In response to questions, the Director of Planning stated:

- The height of the proposed building is 19.25 feet.
- Building on a floodplain is permitted as long as Floodplain Development Permit Guidelines are adhered to.
- Any soil stability issues in regards to the barn would be addressed as part of the Building Permit review process.

**Motion:**

**MOVED by Councillor Plant and Seconded by Councillor Murdock: “That consideration of Development Permit Application DPR00628 for 1136 Roy Road be postponed to a future meeting to provide the applicant the opportunity to address Council.”**

Councillor Plant stated:

- The applicant should consult with neighbours.

Councillor Derman stated:

- Climate change implications should be considered for floodplains.

Councillor Wergeland stated:

- Staff have answered any questions that have come forward.

Councillor Murdock stated:

- The applicant should be proactive and consult with neighbours in advance of the next meeting; it is appropriate to allow the applicant a chance to address Council.

**The Motion was then Put and CARRIED**

The Acting Chief Administrative Officer stated:

- In order to prohibit building on a floodplain, the regulations would need to be part of the Zoning Bylaw; permission would be required from the Ministry of the Environment to prohibit building on a floodplain.
- In the past, the Ministry would not allow Saanich to prohibit building on a floodplain.

Adjournment

On a motion from Councillor Plant, the meeting adjourned at 9:16 p.m.

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CHAIR

I hereby certify these Minutes are accurate

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MUNICIPAL CLERK