THE CORPORATION OF THE DISTRICT OF CENTRAL SAANICH

Minutes of the REGULAR COUNCIL Meeting
Monday, September 15, 2014, at 7:05 p.m.
Central Saanich Municipal Council Chamber

PRESENT:  Mayor Alastair Bryson
            Councillors Cormier, Garrison, King, Jensen, Ounsted and Windsor
            Patrick Robins, Chief Administrative Officer
            Liz Cornwell, Corporate Officer
            Bruce Greig, Director of Planning & Building Services
            Michael Taylor, Chief Building Inspector (partial)

1. CLOSED COUNCIL MEETING – Nil

2. APPROVAL OF THE AGENDA

   The following late items were added to the Agenda:

   7 REPORTS OF COMMITTEES

   Under 7(a)(1) Planning & Development Committee:
   Updated copy of Minutes of the Planning & Development Committee held September 8, 2014, to replace minutes distributed in agenda package.

   8 STAFF MEMORANDA AND REPORTS

   Under 8(g)
   Item 8(g)(i) Rezoning Application: 7878 East Saanich Road:
   Correspondence from R Spelt, September 15, 2014

   11 CORRESPONDENCE (Action) & PETITIONS

   Item 11(d)
   BC Food System Network, Board Member Linda Geggie – September 12, 2014
   Re: Request for Letter of Support for Tides Canada Initiatives Society’s Real Estate Foundation Proposal

   Under 13 NEW BUSINESS / OTHER COMPETENT BUSINESS

   Item 13(a)
   Calendar of Meetings – October 2014

   Item 13(b)
   Notice of Motion re Open Meetings – Best Practices for Closed Meetings (Councillor Cormier)

   732.14 MOVED AND SECONDED
   That the Agenda for the Regular Council Meeting of September 15, 2014, be approved as amended by the Late Items Agenda.
   CARRIED UNANIMOUSLY

3. ADOPTION OF THE MINUTES

   (a) Council Meeting Minutes

   733.14 MOVED AND SECONDED
   That the Minutes of the Special (Open) Council Meeting held on September 2, 2014, be approved as circulated.
   CARRIED UNANIMOUSLY

4. BUSINESS ARISING FROM THE MINUTES - Nil

5. RISE AND REPORT - Nil
6. PUBLIC INQUIRIES AND ANSWERS THERETO – Nil

7. REPORTS OF COMMITTEES

(a) Standing Committees

(1) Planning & Development Committee

a. Minutes of the Planning & Development Committee held September 8, 2014.

734.14 MOVED AND SECONDED
That the Minutes of the Planning & Development Committee Meeting held on September 8, 2014, be approved.
CARRIED UNANIMOUSLY

b. Future Use of Landlocked Municipal Road Right-of-Way: 7200-Blocks of Veyaness Road and East Saanich Road – Opportunity to be Heard

735.14 MOVED AND SECONDED
That on recommendation (Resolution 719.14) of the Planning & Development Committee, it would be in the public interest to gain access to one or both ends of the land-locked municipal right-of-way through the subdivision process, to provide access to neighbouring properties and existing municipal utilities.
CARRIED UNANIMOUSLY: Mayor Bryson; Councillors Cormier, Garrison, Jensen, King, Ounsted, and Windsor

c. Rezoning Application: 7248 East Saanich Road (Lalli)

736.14 MOVED AND SECONDED
That on recommendation (Resolution 720.14) of the Planning & Development Committee, with respect to the proposed rezoning of the property at 7248 East Saanich Road to facilitate an infill subdivision, it be suggested that the applicant reconsider the proposed lot layout to:
1. Present a single lot fronting East Saanich Road;
2. Provide a dedicated access connecting East Saanich Road to the unopened municipal right-of-way to the west; and,
3. Explore the potential to include the neighbouring panhandle strip on the property to the north, to provide a wider right-of-way for access.
CARRIED UNANIMOUSLY: Mayor Bryson; Councillors Cormier, Garrison, Jensen, King, Ounsted, and Windsor

d. Rezoning Application: 2340 Styan Road (Ackerman)

737.14 MOVED AND SECONDED
That on recommendation (Resolution 721.14) of the Planning & Development Committee, Council:
1. Proceed with the application to rezone the northern portion of the property at 2340 Styan Road to enable a proposed subdivision that would create one additional Small Lot Single Family Residential (R1-S) lot; and,
2. Indicate to the applicant that it would be in the public interest for a restrictive covenant to be registered on the title of the property during the subdivision process to ensure:
   (a) That future development of the proposed infill house achieve an EnerGuide rating of at least 80; and,
   (b) That future house construction meet the intent of the Guidelines for Infill Housing.
CARRIED UNANIMOUSLY: Mayor Bryson; Councillors Cormier, Garrison, Jensen, King, Ounsted, and Windsor

e. Temporary Use Permit Application: 1592 Verling Avenue (Shaw)

738.14 MOVED AND SECONDED
That on recommendation (Resolution 722.14) of the Planning & Development Committee, Council:
1. Give notice of their intent to consider issuance of:
   (a) Temporary Use Permit No. 4520-20-4/14;
(b) Development Variance Permit No. 3090-20-11/14 to reduce the minimum front yard setback from 7.5m to 7.2m;

2. Indicate to the applicant that approval of the requested TUP would be subject to the owner obtaining the following:
(a) The required building permit;
(b) Approval for the location of the building within SRW P78953 (BC Hydro) and Easement 135114G;
(c) Approval to vary the required front yard setback from 7.5m to 7.2m;
(d) Approval of the existing water service and its ability to properly service the additional dwelling; and,
(e) That the owner provide a $5,000 security deposit and restrictive covenant to the District to guarantee compliance with the permit conditions; and,

3. Subject to public input, indicate whether any additional conditions should apply to the requested TUP.
CARRIED: Mayor Bryson; Councillors Garrison, Jensen, Ounsted, and Windsor
OPPOSED: Councillors Cormier and King

f. Moorage, Sewage, Liveaboards, and Derelict Vessels

Main Motion:
739.14 MOVED AND SECONDED
That on recommendation (Resolution 723.14) of the Planning & Development Committee, a letter be forwarded to the Ministry of Forests, Lands and Natural Resource Operations expressing interest in exploring the management of moorage, sewage, liveaboards and derelict vessels, and further that a meeting be scheduled to be held in the New Year of 2015 regarding this matter.

Referral Motion:
740.14 MOVED AND SECONDED
That the aforenoted motion be referred back to the Planning & Development Committee for further discussion in conjunction with the UBCM report regarding derelict vessels.
DEFEATED
IN FAVOUR: Councillors Cormier and King
OPPOSED: Mayor Bryson; Councillors Garrison, Jensen, Ounsted, and Windsor

Question on the Main Motion:
CARRIED: Mayor Bryson; Councillors Garrison, Jensen, King, Ounsted, and Windsor
OPPOSED: Councillor Cormier

(2) Public Works & Transportation Committee

a. Minutes of the Public Works & Transportation Committee held September 8, 2014.

741.14 MOVED AND SECONDED
That the Minutes of the Public Works & Transportation Committee Meeting held on September 8, 2014, be approved as amended by replacing the words ‘Planning Advisory Commission’ with the words ‘Peninsula Agricultural Commission and Agricultural Advisory Committee’ in motion No. 725.14.
CARRIED UNANIMOUSLY: Mayor Bryson; Councillors Cormier, Garrison, Jensen, King, Ounsted, and Windsor

b. Referral of Draft Soil Removal and Deposit Bylaw

742.14 MOVED AND SECONDED
That on recommendation (Resolution 727.14) of the Public Works & Transportation Committee subsections (6), (7) and (8) of Section 5 of the draft Soil Removal and Deposit Bylaw be struck from the bylaw.
CARRIED UNANIMOUSLY: Mayor Bryson; Councillors Cormier, Garrison, Jensen, King, Ounsted, and Windsor
743.14 MOVED AND SECONDED
That on recommendation (Resolution 728.14) of the Public Works & Transportation Committee subsection 5 (5)(n) of the draft Soil Removal and Deposit Bylaw be amended by striking the words “the owner or lessee of the land on which the soil is to be deposited has provided to the District, prior to the deposit of any soil, the written opinion of an agrologist or other qualified professional acceptable to the District that the deposit will be beneficial to the agricultural use of the land, and the District has advised the owner or lessee in writing that it accepts the opinion; or” after the words “is carried out as an agricultural soil amendment”.
CARRIED: Mayor Bryson; Councillors Garrison, Jensen, Ounsted, and Windsor
OPPOSED: Councillors Cormier and King

744.14 MOVED AND SECONDED
That on recommendation (Resolution 729.14) of the Public Works & Transportation Committee staff review:
1. The following sections of the draft Soil Removal and Deposit Bylaw:
   (a) the Permit Application section; and,
   (b) the Permit Application Required Information section
2. The relevant appendices
to provide for a reduced process for minor soil deposit and removal applications.
CARRIED UNANIMOUSLY: Mayor Bryson; Councillors Cormier, Garrison, Jensen, King, Ounsted, and Windsor

(3) Administration & Finance Committee

a. Minutes of the Administration & Finance Committee held September 8, 2014

745.14 MOVED AND SECONDED
That the Minutes of the Administration & Finance Committee Meeting held on September 8, 2014, be approved as circulated.
CARRIED UNANIMOUSLY

(b) Advisory Committees / Others

Due to a potential conflict of interest on the following item, Councillor Windsor excused himself from the Council Chamber at 7:26 p.m. He advised that he is a neighbour to the subject property.

(1) AAC Input to Council: Maber Flats

a. Report from the Director of Planning and Building Services (on behalf of the Chair of the Agricultural Advisory Committee) dated September 9, 2014.

b. Minutes from the Joint Meeting of Agricultural Advisory and Healthy Watershed Committees held on August 21, 2014

746.14 MOVED AND SECONDED
That the Minutes of the Joint Meeting of Agricultural Advisory and Healthy Watershed Committees held on August 21, 2014, and the Staff Memorandum from the Director of Planning and Building Services (on behalf of the Chair of the Agricultural Advisory Committee) dated September 9, 2014, be received for information.
CARRIED UNANIMOUSLY: Mayor Bryson; Councillors Cormier, Garrison, Jensen, King, and Ounsted

747.14 MOVED AND SECONDED
That the request from the Agricultural Advisory Committee that the District install flow meters in the following locations, to provide additional data on the areas contributing runoff in the Martindale Valley and Maber Flats:
1. In the ditch on the south side of Martindale Road, immediately east of the culvert bringing water under the Pat Bay Highway;
2. In the McHugh Ditch north of Martindale Road;
3. In Stephen’s Creek east of the confluence with Graham Creek; and,
4. In Graham Creek south of the confluence with Stephen’s Creek.
be referred to staff for investigation and report back to Council
CARRIED UNANIMOUSLY: Mayor Bryson; Councillors Cormier, Garrison,
Councillor Windsor returned to the Council Chamber at 7:28 p.m.

(c) Council Members Reports – Advisory Bodies, Committees, Boards, or Commissions

Councillor Cormier noted that at the recent Peninsula Agricultural Commission meeting held on September 11, 2014, staff presented the Maber Flats project proposal and the Commission will be sending their summary report to Council in due course.

Mayor Bryson stated that he and other members of Council attended the official opening of the new playground facility at Centennial Park on September 13, 2014. He noted that it was well attended and the facilities are quite nice.

8. STAFF MEMORANDA AND REPORTS:

Due to a potential conflict of interest on the following item, Councillor Ounsted excused herself from the Council Chamber at 7:30 p.m. She advised that she has a business relationship with the property owners.

(a) Notice on Title: 6915 West Saanich Road – Construction Without Permits and Unauthorized Dwelling Unit

The Building Inspector overviewed the Staff Memorandum dated August 12, 2014.

At the invitation of the Mayor, the property owner, Mr. R. Peters, advised that the second dwelling has been decommissioned and has no stove wiring. He stated that it is unlocked 24/7 and that he has invited the Bylaw Enforcement Officer to inspect it. Mr. Peters noted that the ‘barn’ is actually three 10 ft by 10 ft sheds one inch apart from each other, which he said he was advised by the Building Department was legal and that he could also hang a 20 ft roof over the structure. He advised that his intention is to change the second dwelling into a carriage house, and that at that point he will welcome the inspector to enter his house to inspect the secondary suite, but until then he wishes it to remain off limits.

748.14 MOVED AND SECONDED

That with regard to land legally described as Lot A, Section 12, Range 1 East South Saanich District Plan 12441; PID 004-757-599; having a civic address of 6915 West Saanich Road (“the Property”):

BE IT RESOLVED that:
1. The District of Central Saanich Corporate Officer shall file a notice with the Land Title and Survey Authority of BC stating that a Resolution has been made under Section 57 of the Community Charter by the Council relating to the Property, and that further information respecting the resolution may be inspected at the office of the Municipal Building Inspection Division during regular office hours;
2. If the owner fails to resolve the violations by obtaining a building permit and complying with the municipal bylaws, then at a future Council meeting, Council may consider imposing a remedial action order on the owner or obtaining a court injunction; and,
3. Staff be directed to postpone registration of the Section 57 Notice on Title for a period of up to 30 days in order to afford the property owner(s) the opportunity to bring the property into compliance with the District’s Building Bylaw.

CARRIED UNANIMOUSLY: Mayor Bryson; Councillors Cormier, Garrison, Jensen, King, and Windsor

Councillor Ounsted returned to the Council Chamber at 7:34 p.m.

(b) Notice on Title: 6765 Veyaness Road – Construction Without Permits

The Building Inspector overviewed the Staff Memorandum dated August 12, 2014.

At the invitation of the Mayor, Mr. T. Bayliss, part owner of 6765 Veyaness Road, advised that he obtained one half of the building approximately two years previous, and that he is working to achieve compliance. He stated that with regard to
the back building, he is working with the tenant on an exit strategy, and he is also working on the issue regarding the expired permit, which was completed but not closed. Mr. Bayliss noted that with regard to the second building, he has signed over the rights of the main floor to the tenant, and that he understands the tenant has applied for a building permit.

On question from a member of Council, the Chief Building Inspector advised that work completed by permit would trigger Staff to automatically apply for removal of the Notice on Title.

749.14 MOVED AND SECONDED
That with regard to land legally described as Lot 5, Section 13, Range 3 East South Saanich District Plan 26698 except part in Plan VIP70784; PID 002-405-253; having a civic address of 6765 Veyaness Road (“the Property”):

BE IT RESOLVED that:
1. The District of Central Saanich Corporate Officer shall file a notice with the Land Title and Survey Authority of BC stating that a Resolution has been made under Section 57 of the Community Charter by the Council relating to the Property, and that further information respecting the resolution may be inspected at the office of the Municipal Building Inspection Division during regular office hours;
2. If the owner fails to resolve the violations by obtaining a building permit and complying with the municipal bylaws, then at a future Council meeting, Council may consider imposing a remedial action order on the owner or obtaining a court injunction; and,
3. Staff be directed to postpone registration of the Section 57 Notice on Title for a period of up to 30 days in order to afford the property owner(s) the opportunity to bring the property into compliance with the District’s Building Bylaw.
CARRIED UNANIMOUSLY: Mayor Bryson; Councillors Cormier, Garrison, Jensen, King, Ounsted, and Windsor

(c) Notice on Title: 856 Clarke Road – Construction Without Building Permit

The Building Inspector overviewed the Staff Memorandum dated August 26, 2014, and responded to questions from Council.

The property owner was not in attendance to speak to this matter.

750.14 MOVED AND SECONDED
That with regard to land legally described as Lot 3, Section 10, Range 2 West South Saanich District Plan 9033; PID 005-525-241; having a civic address of 856 Clarke Road (“the Property”):

BE IT RESOLVED that:
1. The District of Central Saanich Corporate Officer shall file a notice with the Land Title and Survey Authority of BC stating that a Resolution has been made under Section 57 of the Community Charter by the Council relating to the Property, and that further information respecting the resolution may be inspected at the office of the Municipal Building Inspection Division during regular office hours;
2. If the owner fails to resolve the violations by obtaining a building permit and complying with the municipal bylaws, then at a future Council meeting, Council may consider imposing a remedial action order on the owner or obtaining a court injunction; and,
3. Staff be directed to postpone registration of the Section 57 Notice on Title for a period of up to 30 days in order to afford the property owner(s) the opportunity to bring the property into compliance with the District’s Building Bylaw.
CARRIED UNANIMOUSLY: Mayor Bryson; Councillors Cormier, Garrison, Jensen, King, Ounsted, and Windsor

(d) Notice on Title: 2057 Skyline Crescent – Construction Without Permits

The Building Inspector overviewed the Staff Memorandum dated August 26, 2014.
At the invitation of the Mayor, the property owner, Mr. Karl White, 
Mr. Karl White, advised that he and his wife, Ardene White, are the original owners of the 
house which was built in 1980, and during the inspection of the house the Building 
Inspector at that time had inquired about the sundeck at the back of the house. His 
response was that an above ground swimming pool was to be installed and joined to 
the back of the house. Mr. White stated that Building Inspector had said that 
would be fine but to put a piece of plywood across the sliding door for safety and carry 
on with building the sundeck. Mr. White noted that in 1994 an additional 720 sq. ft. 
was added to the house under permit, at which time part of the deck was knocked 
down and some of the wood was replaced. He then advised that subsequently a shed 
was added under permit and the Building Inspector advised that a set of steps rather 
than a little deck be installed on the side of the shed, then proceed with the deck after 
receipt of the occupancy permit. Mr. White stated that it is his intention to meet the 
BC Building Codes at a later date following some current priorities.

751.14 MOVED AND SECONDED
That with regard to land legally described as Lot 1, Section 10, Range 3 East 
South Saanich District Plan 33615; PID 000-252-174; having a civic address of 
2057 Skyline Crescent ("the Property"):

BE IT RESOLVED that:
1. The District of Central Saanich Corporate Officer shall file a notice with the 
Land Title and Survey Authority of BC stating that a Resolution has been 
made under Section 57 of the Community Charter by the Council relating to 
the Property, and that further information respecting the resolution may be 
inspected at the office of the Municipal Building Inspection Division during 
regular office hours;
2. If the owner fails to resolve the violations by obtaining a building permit and 
complying with the municipal bylaws, then at a future Council meeting, 
Council may consider imposing a remedial action order on the owner or 
obtaining a court injunction; and, 
3. Staff be directed to postpone registration of the Section 57 Notice on Title 
for a period of up to 30 days in order to afford the property owner(s) the 
opportunity to bring the property into compliance with the District's Building 
Bylaw.

CARRIED UNANIMOUSLY: Mayor Bryson; Councillors Cormier, Garrison, 
Jensen, King, Ounsted, and Windsor

Due to a potential conflict of interest on the following item, Councillor Windsor excused 
himself from the Council Chamber at 7:45 p.m. He advised that he is an immediate 
neighbour to the subject property.

(e) Development Variance Permit for Works & Services; 7210 Wallace Drive and 1864 
Highfield Road (Brentwood Developments Ltd.) – Opportunity to be Heard

The Director of Planning and Building Services gave a brief overview of this item, and 
suggested that the comments, with respect to this property, from the Agricultural 
Advisory Committee in the aforementioned Memorandum under item 7(b)(1) on the 
agenda, also be considered by Council.

The Chair then invited members of the public to come forward to speak to this matter.

W Fox, advised that her family are adjacent to the 
subject property and that she is aware that drainage in Maber Flats is an issue and 
needs to be dealt with. She noted that this matter had been referred to all of the 
relevant Committees, but there has been no consultation with adjoining property 
owners. Ms. Fox stated that she and her family have concerns and asked if it was not 
appropriate for staff to have a meeting with the affected land owners to voice their 
concerns before the completion of the first stage of this process.

C Fox, stated that the family has been trying to farm the 
adjacent property for the past 5-6 years and have been very patient for a hopeful fix to 
the flooding issue. He expressed concern regarding future irrigation on the property 
once the flooding has been resolved. In response to the Mayor, Mr. Fox noted that 
yearly flooding on the property gets worse every year and one of the causes is from 
new development in the area. He advised that approximately ten years ago all of the 
flats was farmed all year long. On question, Mr. Fox stated that his family wants 
access to the proposed new water retention pond.
MOVED AND SECONDED

That consideration of the Development Variance Permit Application be postponed to a future Council Meeting.

CARRIED UNANIMOUSLY: Mayor Bryson; Councillors Cormier, Garrison, Jensen, King, and Ounsted

Councillor Windsor returned to the Council Chamber at 7:52 p.m.

(f) Request for Tree Removal in Covenant Area; 7006 Island View Place (Wayne and Myrna Cox)

The Director of Planning and Building Services overviewed the Staff Memorandum dated September 4, 2014, and responded to a question from Council.

Wayne Cox, stated that he and his wife purchased the house in April 2014, and had a roofer remove moss and treat the roof, at which time the roofer found damage to shingles from tree branches falling on the roof. He advised that the unstable tree is eight feet from the house and asked for Council’s support to remove the tree.

In response to the Mayor, Mr. Cox advised he will plant three replacement trees on the property as requested by the District.

MOVED AND SECONDED

That Council authorize the removal of a co-dominant western cedar tree within the covenant area at 7006 Island View Place, per the arborist’s recommendations, with the condition that the owner be required to replant three replacement trees on the property.

CARRIED UNANIMOUSLY: Mayor Bryson; Councillors Cormier, Garrison, Jensen, King, Ounsted, and Windsor

(g) Rezoning Application; 7878 East Saanich Road

(1) Correspondence from R Spelt dated September 15, 2014

The Director of Planning and Building Services overviewed the Staff Memorandum dated September 4, 2014, and responded to questions from Council.

The Chair then invited the applicant to come forward to speak to this matter.

Eric Barker, architect and the owners’ representative, provided a visual presentation of the proposed development and responded to questions from Council.

Main Motion:

MOVED AND SECONDED

That Council, with regard to the proposed rezoning to facilitate a mixed-use rental development on the property at 7878 East Saanich Road, consider the following:

1. That “Land Use Bylaw Amendment Bylaw No. 1851, 2014” be introduced and read a first time by title only;
2. That “Land Use Bylaw Amendment Bylaw No. 1851, 2014” be read a second time;
3. That “Housing Agreement Bylaw No. 1852, 2014” be introduced and read a first time by title only;
4. That “Housing Agreement Bylaw No. 1852, 2014” be read a second time;
5. That Bylaws No. 1851 and 1852 be referred to a public hearing to be held on Wednesday, October 8, 2014;
6. Indicate whether there is support to consider a Development Variance Permit to vary the following:
   a) Reduce the number of required parking stalls from 100 spaces to 70 spaces;
   b) Waive the requirement for one loading bay;
   c) Reduce the required parking setback from a property line from 2.5m to 0.0m;
7. Suggest that the developer indicate, prior to the holding of a public hearing, their level of commitment to contribute to off-site pedestrian and public transportation facilities;
realm improvements in Saanichton, with security for such works to be provided prior to a building permit being issued;
8. Give notice of Council’s intent to hold a Public Hearing on the bylaws and the Development Variance Permit;
9. Indicate that approval of the rezoning bylaw would be subject to the owners providing a restrictive covenant ensuring that the development will conform with the plans submitted, and, subsequent to the covenant being registered, authorize the Mayor and Corporate Officer to discharge the existing covenant EK91829 from the title of the property;
10. Indicate that issuance of a Development Permit would be subject to the Owners executing the Housing Agreement;
11. Indicate any additional conditions or changes that Council would require of the development; and,
12. Subject to public comment, give further consideration to the bylaws and consider issuance of Development Variance Permit No. 3090-20-12/14 and Development Permit No. 3060-20-6/14.

Amendment Motion
755.14
MOVED AND SECONDED
That the main motion be amended by inserting the words “13. With the agreement of the Greater Victoria Public Library and the proponent, include a drop box facility in the new facility.”
CARRIED: Mayor Bryson; Councillors Cormier, King, Ounsted, and Windsor
OPPOSED: Councillors Garrison and Jensen

Referral and Amendment Motion
756.14
MOVED AND SECONDED
That consideration of the main motion be referred to the Planning and Development Committee for further discussion, and further that the section 5 of the main motion be amended by striking the words "to be held on Wednesday, October 8th, 2014".
DEFEATED:
IN FAVOUR: Councillors Cormier and King
OPPOSED: Mayor Bryson, Councillors Garrison, Jensen, Ounsted and Windsor

Amendment Motion
757.14
MOVED AND SECONDED
That the main motion be amended by inserting the words "That the Housing Agreement Bylaw include a provision for providing 10% of affordable housing at less than market value for 10% of the units."
DEFEATED:
IN FAVOUR: Councillors Cormier and King
OPPOSED: Mayor Bryson, Councillors Garrison, Jensen, Ounsted and Windsor

Question on the Main Motion as Amended:
That Council, with regard to the proposed rezoning to facilitate a mixed-use rental development on the property at 7878 East Saanich Road, consider the following:
1. That “Land Use Bylaw Amendment Bylaw No. 1851, 2014” be introduced and read a first time by title only;
2. That “Land Use Bylaw Amendment Bylaw No. 1851, 2014” be read a second time;
3. That “Housing Agreement Bylaw No. 1852, 2014” be introduced and read a first time by title only;
4. That “Housing Agreement Bylaw No. 1852, 2014” be read a second time;
5. That Bylaws No. 1851 and 1852 be referred to a public hearing to be held on Wednesday, October 8, 2014;
6. Indicate there is support to consider a Development Variance Permit to vary the following:
   a) Reduce the number of required parking stalls from 100 spaces to 70 spaces;
   b) Waive the requirement for one loading bay;
   c) Reduce the required parking setback from a property line from 2.5m to 0.0m;
7. Suggest that the developer indicate, prior to the holding of a public hearing,
their level of commitment to contribute to off-site pedestrian and public realm improvements in Saanichton, with security for such works to be provided prior to a building permit being issued;

8. Give notice of Council’s intent to hold a Public Hearing on the bylaws and the Development Variance Permit;

9. Indicate that approval of the rezoning bylaw would be subject to the owners providing a restrictive covenant ensuring that the development will conform with the plans submitted, and, subsequent to the covenant being registered, authorize the Mayor and Corporate Officer to discharge the existing covenant EK91829 from the title of the property;

10. Indicate that issuance of a Development Permit would be subject to the Owners executing the Housing Agreement;

11. Indicate any additional conditions or changes that Council would require of the development;

12. Subject to public comment, give further consideration to the bylaws and consider issuance of Development Variance Permit No. 3090-20-12/14 and Development Permit No. 3060-20-6/14; and,

13. With the agreement of the Greater Victoria Public Library and the proponent, include a drop box facility in the new facility.

CARRIED: Mayor Bryson; Councillors Garrison, Jensen, Ounsted, and Windsor

OPPOSED: Councillors Cormier and King

758.14 MOVED AND SECONDED
That “Land Use Bylaw Amendment Bylaw No. 1851, 2014” be introduced and read a first time by title only.
CARRIED: Mayor Bryson; Councillors Garrison, Jensen, Ounsted, and Windsor
OPPOSED: Councillors Cormier and King

759.14 MOVED AND SECONDED
That “Land Use Bylaw Amendment Bylaw No. 1851, 2014” be read a second time.
CARRIED: Mayor Bryson; Councillors Garrison, Jensen, Ounsted, and Windsor
OPPOSED: Councillors Cormier and King

760.14 MOVED AND SECONDED
That “Housing Agreement Bylaw No. 1852, 2014” be introduced and read a first time by title only.
CARRIED: Mayor Bryson; Councillors Garrison, Jensen, Ounsted, and Windsor
OPPOSED: Councillors Cormier and King

761.14 MOVED AND SECONDED
That “Housing Agreement Bylaw No. 1852, 2014” be read a second time.
CARRIED: Mayor Bryson; Councillors Garrison, Jensen, Ounsted, and Windsor
OPPOSED: Councillors Cormier and King

762.14 MOVED AND SECONDED
That Bylaws No. 1851 and 1852 be referred to a public hearing to be held on Wednesday, October 8, 2014.
CARRIED: Mayor Bryson; Councillors Garrison, Jensen, Ounsted, and Windsor

OPPOSED: Councillors Cormier and King

(h) 6719 West Saanich Road – Parking Encroachment


The Chief Administrative Officer reviewed the report.

763.14 MOVED AND SECONDED
That the Mayor and the Corporate Officer be authorized to execute:
1. The Encroachment Agreement with 0990116 BC Ltd. for the purposes of authorizing encroachment for existing parking facilities in the municipal right-of-way; and,
2. The Servicing Agreement with 0990116 BC Ltd. for the purposes of providing municipal services pursuant to the subdivision of this property.
CARRIED UNANIMOUSLY: Mayor Bryson; Councillors Cormier, Garrison, Jensen, King, Ounsted, and Windsor
(i) Execution of Funding Agreement for Wallace Drive Cycling Improvements


The Chief Administrative Officer reviewed the report.

764.14 MOVED AND SECONDED
That the Mayor and the Corporate Officer be authorized to execute the Funding Agreement, attached as Appendix B, for the Wallace Drive Cycling Improvements.
CARRIED UNANIMOUSLY: Mayor Bryson; Councillors Cormier, Garrison, Jensen, King, Ounsted, and Windsor

(j) Butterfield Park Resident Caretaker Service Contract


765.14 MOVED AND SECONDED
That the Mayor and the Corporate Officer be authorized to execute the agreement for caretaking services of Butterfield Park with John Desormeaux, for a term of three years, and in doing so, accept his application for tenancy of the caretaker’s residence located at 8000 Thomson Place, based on compensation and rent levels presented in the Staff Memorandum dated September 10, 2014.
CARRIED UNANIMOUSLY: Mayor Bryson; Councillors Cormier, Garrison, Jensen, King, Ounsted, and Windsor

(k) Animal Control Contract with Capital Regional District

Report from Corporate Officer dated September 8, 2014.

766.14 MOVED AND SECONDED
1. That the contract between the District of Central Saanich and the Capital Regional District for the provision of animal control services be approved for a two year term with an option for automatic renewal for a further three year term.
2. That the Mayor and the Corporate Officer be authorized to execute the Animal Control Contract with the Capital Regional District.
CARRIED UNANIMOUSLY: Mayor Bryson; Councillors Cormier, Garrison, Jensen, King, Ounsted, and Windsor

9. BYLAWS

1. Other than Development Application Bylaws – Nil

2. Development Application Bylaws

(a) Introduction of Bylaw No. 1850 (Rezoning a Portion of 2340 Styan Road)

The Director of Planning & Building Services overviewed the Staff Memorandum dated September 9, 2014, and responded to questions from Council.

767.14 MOVED AND SECONDED
That Land Use Bylaw Amendment Bylaw No. 1850, 2014 be introduced and read a first time by title only.
CARRIED UNANIMOUSLY: Mayor Bryson; Councillors Cormier, Garrison, Jensen, King, Ounsted, and Windsor

768.14 MOVED AND SECONDED
That Land Use Bylaw Amendment Bylaw No. 1850, 2014 be read a second time.
CARRIED UNANIMOUSLY: Mayor Bryson; Councillors Cormier, Garrison, Jensen, King, Ounsted, and Windsor

769.14 MOVED AND SECONDED
That Land Use Bylaw Amendment Bylaw No. 1850, 2014 be referred to a Public Hearing to be held on Wednesday, October 8, 2014.
CARRIED UNANIMOUSLY: Mayor Bryson; Councillors Cormier, Garrison, Jensen, King, Ounsted, and Windsor

10. DELEGATIONS / PRESENTATIONS

(a) Gary Holman MLA Saanich North and the Islands – August 19, 2014
Re: Proposal for a Housing Needs Assessment for the Saanich Peninsula

Gary Holman, MLA, stated the proposal came from a workshop he organized several months ago from a number of affordable housing funders and providers, and was a good first step to move affordable housing forward on the peninsula and complete a needs assessment. Mr. Holman requested that Council support the needs assessment study, and participate on a Steering Committee that would oversee the study to ensure that the study was meeting the needs of the three municipalities. Sidney has supported the proposal subject to support from the other two Saanich Peninsula Councils, and North Saanich has also supported the proposal.

There is no funding requested from Council and there has been an indication of support from CMHC and BC Housing. Other funding sources will be pursued as well. The study will not get into policy recommendations as that is the purview of local governments. The study would document the need for affordable housing for low to modest incomes, look at existing supply and identify gaps in that affordable housing stock. There are organizations considering affordable housing projects now on the peninsula, and ideally the group would work with them to identify the demand for their particular project if the funding allowed.

Mr. Holman asked for support and for a member of Council to sit on the Steering Committee.

770.14 MOVED AND SECONDED
That the proposed needs assessment for affordable housing on the Saanich Peninsula be supported.
CARRIED UNANIMOUSLY: Mayor Bryson; Councillors Cormier, Garrison, Jensen, King, Ounsted, and Windsor

Main Motion

771.14 MOVED AND SECONDED
That Councillor Windsor be appointed to the Advisory Committee overseeing the housing needs assessment for the Saanich Peninsula.

Postponement Motion

772.14 MOVED AND SECONDED
That the main motion be postponed for consideration until December, 2014 to allow time for next steps in the housing needs assessment for the Saanich Peninsula project.
CARRIED UNANIMOUSLY: Mayor Bryson; Councillors Cormier, Garrison, Jensen, King, Ounsted, and Windsor

11. CORRESPONDENCE (Action) & PETITIONS

(a) A Antonik, August 29, 2014
Re: Request for Pickleball Net at Lined Courts in Centennial Park

A. Antonik was not in attendance to speak to the matter.

773.14 MOVED AND SECONDED
That the correspondence from A. Antonik dated August 29, 2014 regarding a request for a pickleball net at the lined courts in Centennial Park be received for information.
CARRIED UNANIMOUSLY: Mayor Bryson; Councillors Cormier, Garrison, Jensen, King, Ounsted, and Windsor

Staff was directed to advise A. Antonik that they can make application for a grant-in-aid from the District of Central Saanich.
(b) Capital Region Emergency Service Telecommunications – September 3, 2014
Re: Extraordinary General Meeting on September 17, 2014

The Chair advised he will attend the meeting on September 17, 2014.

774.14 MOVED AND SECONDED
That the correspondence from Capital Region Emergency Service Telecommunications dated September 3, 2014 regarding the Extraordinary General Meeting on September 17, 2014 be received for information.
CARRIED UNANIMOUSLY: Mayor Bryson; Councillors Cormier, Garrison, Jensen, King, Ounsted, and Windsor

(c) A van Iersel, September 8, 2014
Re: Growing Issues at James Island Public Dock

On invitation by the Chair, A van Iersel, stated that he has been a resident of Turgoose Terrace for 27 years and he has resided in Central Saanich for much longer. This year has been an exceptional in terms of the volume of people using the dock and the impact on parking and garbage. There are 2 garbage cans at the location and today they were entirely full.

People have been dumping construction debris and old deck board with nails sticking up which is a public safety issue and a liability issue for the municipality. Parking is the other big issue in that Turgoose Terrace is a very narrow street, there are no sidewalks, and the approach road to James Island dock is quite narrow. People park on the road making it difficult to navigate. People park on the corner, and in front of the fire hydrant and the police have been called to address these issues.

Mr. van Iersel requested installation of better signage to notify the public that there are garbage cans available for their use. The garbage cans do need to be emptied promptly because they fill up quickly. Mr. van Iersel stated it is quite annoying to see that amount of litter, and he has been picking it up regularly. He also requested that there be better signage regarding parking, and suggested there be “No Parking” painted on the corners. Police have advised something needs to be done and suggested he talk to Council.

His new neighbour is also concerned about the parking and garbage issues.

775.14 MOVED AND SECONDED
That the concerns expressed by A. van Iersel in his correspondence dated September 8, 2014 regarding parking and solid waste issues at and in the area of the James Island public dock be referred to staff and recommendation back to Council if necessary.
CARRIED UNANIMOUSLY: Mayor Bryson; Councillors Cormier, Garrison, Jensen, King, Ounsted, and Windsor

(d) Capital Region Food and Agriculture Initiatives Roundtable – September 12, 2014
Re: Request for Letter of Support for Tides Canada Initiatives Society’s Real Estate Foundation Proposal (Late Item)

The Mayor overviewed the correspondence.

776.14 MOVED AND SECONDED
That a letter be forwarded to the Real Estate Foundation in support of the Tides Canada Initiatives Society’s Real Estate Foundation project.
CARRIED UNANIMOUSLY: Mayor Bryson; Councillors Cormier, Garrison, Jensen, King, Ounsted, and Windsor

12. UNFINISHED BUSINESS – Nil

13. NEW BUSINESS / OTHER COMPETENT BUSINESS
(a) Calendar of Meetings – October 2014

777.14 MOVED AND SECONDED
That the October 2014 Calendar of Meetings be received for information.
(b) Notice of Motion re Open Meetings – Best Practices for Closed Meetings

(Councillor Cormier)

Councillor Cormier circulated the following Notice of Motion for consideration at the October 6, 2014 Regular meeting of Council.

Open Meetings: Best Practices for Local Government

Whereas:

One of the cornerstones of open and transparent government in British Columbia is the requirement for local governments to conduct meetings that are open and accessible to the public. Providing citizens with the opportunity to observe and engage their elected representatives fosters trust and confidence in decision-making processes and allows for meaningful participation and contribution from informed citizens. Open meetings act as venues for education and enable both elected officials and members of the public to make more fully informed decisions. And,

Whereas:

Openness, transparency, and accountability are essential values that ensure citizens are treated fairly and reasonably by public authorities. And,

Whereas:

There is a presumption under the Community Charter that meetings of local government boards and councils will be open to the public. Sometimes, in order to preserve confidentiality in respect of private matters, meetings may be closed. However, as this runs contrary to the principles of openness, transparency and accountability, statutory provisions are in place that limit the circumstances under which local governments can hold closed meetings and ensure appropriate procedures are followed prior to the closure of a meeting. And,

Whereas:

Once a local government has decided that a subject should be discussed in a closed meeting, the procedural requirements in section 92 of the Community Charter must be followed. And,

Whereas:

The Ombudsperson’s Special Report No. 34, dated September 2012 to the Legislative Assembly of B. C. provides comprehensive guidelines for Open Meetings: Best Practices Guide for Local Governments.

BE IT RESOLVED THAT:

Central Saanich Council will follow the guidelines stated in the Special Report No. 34 with respect to closing a meeting including:

- using paragraph 90(1)(n) if there is reason to question whether it is necessary to close a meeting
- providing as much detail as possible about the basis for closing the meeting without undermining the reason for closing the meeting
- including in the resolution to close a meeting a description of each distinct matter to be discussed and the authorizing provision
- reading the resolution to close a meeting aloud
- stating whether council will reconvene in an open meeting at the end of the closed session
- restricting discussion to subjects that were authorized by the resolution to close the meeting
- whenever possible, avoiding passing resolutions in closed meetings
• keeping a detailed record of closed meetings including a detailed description of the
discussion, any specific documents considered, any motions, resolutions or votes,
and any directions issued, as well as an audio/video recording of the meeting
• complying with the provisions of FIPPA
• establishing a process and assigning responsibility to specific staff for reviewing
and releasing minutes of closed meetings and related information no longer
requiring confidentiality
• releasing as much information as possible as often as possible once confidentiality
is no longer required

14. CORRESPONDENCE (Receive for General Information)

(a) Correspondence Pertaining to Maber Flats Wetlands:
   (1) B Wilson, August 27, 2014
   (2) C&C Fox, September 9, 2014

(b) Correspondence Pertaining to the Woodwynn Farm Notice of Civil Claim:
   (1) M Cooper, August 28, 2014
   (2) J Warren, September 2, 2014

(c) Capital Region Emergency Service Communications – September 4, 2014
    Re: Shareholders to Vote on $24M Investment

(d) Correspondence Pertaining to Amalgamation:
    (1) M Brash, September 3, 2014

(e) Premier Christy Clark, September 2, 2014
    Re: 2015 BC Achievement Foundation

778.14 MOVED AND SECONDED
    That Notice of nominations for the 2015 BC Achievement Foundation be made
    available to the public through publication on the District of Central Saanich
    website.
    DEFEATED
    For: Councillors Cormier and King
    Opposed: Mayor Bryson; Councillors Garrison, Jensen, Ounsted, and Windsor

(f) C Francoeur, September 4, 2014
    Re: Mail Ballot Voting in the Local Government Election

779.14 MOVED AND SECONDED
    That the correspondence be received for information.
    CARRIED UNANIMOUSLY: Mayor Bryson; Councillors Cormier, Garrison, Jensen, King, Ounsted, and Windsor

15. ADJOURNMENT

On motion, the Regular Council Meeting held on September 15, 2014 adjourned at 9:15 p.m.

________________________________________  __________________________________________
Alastair Bryson                             Liz Cornwell
Mayor                                      Corporate Officer

Recorded by: Liz Cornwell
Corporate Officer