

**Minutes of the Regular Meeting
of the
Municipal Council of the District of North Saanich
Monday, March 6, 2006, at 7:00 p.m.**

PRESENT:

Mayor T. Daly
Councillors P. Chandler
S. Fea
C. Green
A. Scoones
B. Shaw
B. Williamson

ATTENDING:

Chief Administrative Officer B. C. Williams
Director, Corporate Services S. M. Bowden
Director, Infrastructure Services T. Tanton
Director, Financial Services R. Gillis
Director, Development and Community Services T. Olsen
Executive Secretary C. Nash

APPROVAL OF AGENDA

MOVED BY: COUNCILLOR SHAW
SECONDED: COUNCILLOR GREEN

115 That the agenda be adopted as circulated.

CARRIED

ADOPTION OF MINUTES

MOVED BY: COUNCILLOR FEA
SECONDED: COUNCILLOR CHANDLER

116 That the minutes of the Regular Council meeting of February 20, 2006 be adopted as circulated.

CARRIED

PETITIONS AND DELEGATIONS

Friederike Müller and Oliver Danckers, German exchange students currently attending Parkland Secondary School, were in attendance to speak to Council regarding the Carolwood Manor Summer Splash fundraising event to be held July 23, 2006 to raise funds for the second phase of the Panorama Playground. Mayor Daly thanked Friederike and Oliver for their participation and assistance at Carolwood Manor, and presented them with gifts from the District of North Saanich.

PUBLIC PARTICIPATION PERIOD

As there was no one who wished to speak, the Public Participation Period concluded at 7:05 p.m.

MAYOR'S REPORT

Mayor Daly noted his attendance at the following recent events:

- February 21 – Tri Municipal Council meeting with Central Saanich and Sidney
- February 24 and 25 – School Trustees Convention
- February 27 – Councillor Williamson represented Mayor Daly at the Annual Flower Count
- March 3 – Councillor Williamson represented Mayor Daly at the Grand Opening of the Sooke Sewage Treatment Plant

CORRESPONDENCE**(a) Proposed Construction of a School on Forest Park Drive**

MOVED BY: COUNCILLOR FEA

SECONDED: COUNCILLOR GREEN

- 117 That the letter dated February 14, 2006 from A. R. McKinnon, 8941 Haro Park Terrace, regarding the proposed construction of an Elementary School on Forest Park Drive be received and referred to Staff for a response, and that all correspondence of this nature be copied to the School District for information.

CARRIED

(b) Financing of the Sewer Project

MOVED BY: COUNCILLOR SHAW

SECONDED: COUNCILLOR FEA

- 118 That the letter dated February 14, 2006 from R.C. Gibson, 1691 Cresswell Drive, regarding financing of the sewer project and opposing the requirement for Dean Park residents to contribute financially to this project be received, and referred to Staff for a response.

CARRIED

(c) Proposed Renovations to the Panorama Recreation Centre

Staff was requested to prepare a report outlining the funding methodology of various services provided through the CRD and address the issue of disproportionate funding. Staff

was also requested to provide an outline of actions to date regarding the ongoing discussions of renovations to Panorama Recreation Centre, and place it on the District's website.

MOVED BY: COUNCILLOR FEA

SECONDED: COUNCILLOR CHANDLER

119 That the letter dated February 17, 2006 from Tim Chad, Chair, Peninsula Recreation Commission, regarding the proposed renovations to the Panorama Recreation Centre be received, and that:

- (a) The municipalities of Sidney and North Saanich approach the Capital Regional District to explore options to create a second service.
- (b) On behalf of the Commission, the Town of Sidney and the District of North Saanich commence the process to apply for any available joint Federal and Provincial funding grants available, and that the Commission write the District of Central Saanich requesting participation in the applications, and that the Councils inform the Commission of their decision.
- (c) The Councils request the Commission to update project costs through a formal quantity survey; and that the survey costs up to \$10,000 be funded from contingency.

CARRIED

(d) “Leisure Involvement for Everyone” Program

Staff was requested to prepare a report for further consideration at Committee of the Whole regarding the history of services offered to the local First Nation communities. Council expressed support for the Program in principle.

MOVED BY: COUNCILLOR SCOONES

SECONDED: COUNCILLOR FEA

120 That the letter dated February 17, 2006 from Tim Chad, Chair, Peninsula Recreation Commission, regarding the “Leisure Involvement for Everyone” program be received, and this item be considered at a meeting with the Tseycum and Pauquachin First Nations.

CARRIED

(e) Public Information Project for Patricia Bay Park

MOVED BY: COUNCILLOR SCOONES

SECONDED: COUNCILLOR FEA

121 That the letter dated February 20, 2006 from Mary Earnshaw, Friends of the Pat Bay Watershed, regarding a public information project for Patricia Bay Park be received and referred to Staff for review and recommendation, and referred to both the Parks Commission and the Heritage Advisory Commission for information.

CARRIED

(f) Possible Conflict of Interest

MOVED BY: COUNCILLOR FEA
SECONDED: COUNCILLOR GREEN

- 122 That the letter dated February 20, 2006 from Farrell Boyce, Chair, North Saanich Parks Commission, regarding the Pat Bay Kiosk project and a possible conflict of interest be received, and referred to the Parks Commission for information.

CARRIED

(g) Possible Solutions to Speeding on West Saanich Road

MOVED BY: COUNCILLOR SCOONES
SECONDED: COUNCILLOR SHAW

- 123 That the letter dated February 20, 2006 from Len and Karen Vopnfjord, 10299 West Saanich Road, regarding possible solutions to speeding on West Saanich Road be received, and referred to Staff for review and recommendation.

CARRIED

(h) Support for the Film Industry

MOVED BY: COUNCILLOR SHAW
SECONDED: COUNCILLOR SCOONES

- 124 That the letters from David Feys, Feys & Hobbs Catered Arts Inc., Elmar Theissen, Motion Picture Technicians IATSE Local 891, and Lorne Whyte, Tourism Victoria, requesting that all municipalities provide financial support to the film industry be received.

CARRIED

(i) Request for Sewer Connection to 1390 Munro Road

MOVED BY: COUNCILLOR FEA
SECONDED: COUNCILLOR SHAW

- 125 That the letter dated February 21, 2006 from Diana McBratney, 1390 Munro Road, regarding the denial to include properties at 1346, 1390 and 1420 Munro Road in the sewer service area be received and that the letter writer be advised that Staff is preparing a policy regarding requests for inclusion in the sewer area, and also advise of the status of the hydrological study to be undertaken in the area.

CARRIED

Council**(j) Cy Hampson Park**

MOVED BY: COUNCILLOR GREEN
SECONDED: COUNCILLOR CHANDLER

- 126 That the letter dated February 24, 2006 from Brian Fitzgerald, 8585 Lochside Drive, requesting the removal of some hedgerow in Cy Hampson Park be received, and referred to the Parks Commission, the Environmental Advisory Commission, and the Tree and Hedgerow Committee for review and recommendation.

CARRIED

REPORTS**Committee of the Whole**

Council commenced consideration of the recommendations of the **Committee of the Whole** meeting held on February 27, 2006:

Outstanding Building Permits – Proposed Section 57 Notices

MOVED BY: COUNCILLOR WILLIAMSON
SECONDED: COUNCILLOR SCOONES

- 127 That the report dated February 21, 2006 from the Director, Community & Development Services regarding “Outstanding Building Permits – Proposed Section 57 Notices” be received, and that Staff be authorized to place a notice, in accordance with Section 57 of the *Community Charter*, on title of the properties located at:

| | | |
|---------------------|--|----------|
| 642 Aboyne Avenue | Lot 14, Block 15, Section 6, Range 3 West, North Saanich District, Plan 1936 | BP #3110 |
| 605 Birch Road | Lot B, Section 19, Range 3 West, North Saanich District, Plan 47504 | BP #0062 |
| 10951 Boas Road | Lot B, Section 19, Range 3 East, North Saanich District, Plan VIP71647 | BP #3154 |
| 1035 Cypress Road | Lot 2, Section 20, Range 1 West, North Saanich District, Plan VIP75174 | BP #0098 |
| 1896 Graham Avenue | Lot 7, Block 1, Section 6, Range 2 East, North Saanich District, Plan 1782 | BP #3144 |
| 9197 Inverness Road | Lot 3, Section 6, Range 2 West, North Saanich District, Plan 15664 | BP #3163 |
| 1697 Lands End Road | Lot D, Section 23, Range 2 East, North Saanich District, Plan 48010 | BP #3152 |
| 9045 Lochside Drive | Lot A, Section 5, Range 3 East, North Saanich District, Plan 5507 | BP #0220 |
| 10616 Madrona Drive | Lot 5, Block 73, Section 17, Range 3 West, North Saanich District, Plan 1151 | BP #3168 |
| 1787 Orcas Park Trc | Lot 82, Section 4, Range 2 East, North | BP #1976 |

Council

11376 Osprey Place Saanich District, Plan 29757
Strata Lot 2, Section 22, Range 1 East, BP #0186
North Saanich District, Plan SP804

CARRIED

Barrett Drive Centreline

MOVED BY: COUNCILLOR WILLIAMSON
SECONDED: COUNCILLOR GREEN

- 128 That the report dated February 23, 2006 from the Director of Infrastructure Services regarding “Barrett Drive Centerline” be received and that the yellow centreline on Barrett Drive be repainted as soon as possible.

CARRIED

Draft Official Community Plan – Refining the Development Permit Areas

MOVED BY: COUNCILLOR WILLIAMSON
SECONDED: COUNCILLOR SHAW

- 129 That the report dated February 22, 2006 from the Director, Community & Development Services regarding “Draft Official Community Plan – Refining the Development Permit Areas” be received, and that the following statement for Development Permit Area No. 2 that allows for residential development and use of the properties designated as having a Significant Water Resources be included in the draft Official Community Plan:

“Notwithstanding Section 15.4.1, new residential development and use, including building construction, additions to existing residential buildings and related items such as sewage disposal systems are permitted in the area of recognized aquifers shown on Development Permit Area No. 2 map as ‘Significant Water Resources’ provided that the guidelines set out in Sections 15.4.11 and 15.4.12 are met.”

CARRIED

MOVED BY: COUNCILLOR WILLIAMSON
SECONDED: COUNCILLOR SCOONES

- 130 That policy statement 15.4.5 of the draft Official Community Plan be amended as follows:

“Controls are required on surface drainage to prevent pollutants from entering water features including aquifers.”

CARRIED

Council

MOVED BY: COUNCILLOR WILLIAMSON
SECONDED: COUNCILLOR SHAW

131 That 9028 East Saanich Road be included on the map for Development Permit Area No. 2 in the draft Official Community Plan.

CARRIED

MOVED BY: COUNCILLOR WILLIAMSON
SECONDED: COUNCILLOR FEA

132 That changes be made to section 15.4 of the draft Official Community Plan to enable this bylaw to meet the obligations of the District to protect its riparian areas as required by section 12 of the *Fish Protection Act*.

CARRIED

MOVED BY: COUNCILLOR WILLIAMSON
SECONDED: COUNCILLOR SCOONES

133 That the draft Official Community Plan be amended to retain the environmental and commercial designations on the Deep Cove Chalet Lot 1 containing the restaurant, but remove the commercial designation from Lot 2 containing the house.

CARRIED

MOVED BY: COUNCILLOR WILLIAMSON
SECONDED: COUNCILLOR SHAW

134 That exemptions proposed in section 15.2.1 of the draft Official Community Plan be reworded as follows:

"... a development permit shall not be required in the following instances:

(c) In Development Permit Areas No. 3, No. 6 and No. 7, structures which are not greater than 40 m² (430.6 ft²) and are accessory to an existing principal structure.

This may include, but is not limited to:

- *Additions to commercial and industrial buildings*
- *Gazebos*
- *Garden Sheds*
- *Tool Sheds*
- *Decks*

And add the following subsection renumbering the following sub-sections accordingly:

(d) *In Development Permit Areas No. 1, 2, 4, and 5, structures which are not greater than 40 m² providing a Minor Development Permit has been issued.*

(e) *In all Development Permit Areas, structures which are 10 m² (107 ft²) or less in size providing they are not sited within 15 metres of the natural marine shoreline.”*

CARRIED

MOVED BY: COUNCILLOR WILLIAMSON

SECONDED: COUNCILLOR SCOONES

135 That given the environmental sensitivity of the foreshore area, the draft Official Community Plan be amended to note that boathouses are subject to the requirement for a development permit, and that there be a requirement for boathouses to be clad in non-reflective materials.

CARRIED

MOVED BY: COUNCILLOR WILLIAMSON

SECONDED: COUNCILLOR FEA

136 That Staff draft a policy statement for the draft Official Community Plan referring to “Special Development Permit Area #14 – Queen Mary Bay” to include a mix of detached and attached housing on this property subject to significant dedication of land as park.

CARRIED

Amending the Official Community Plan to Protect Creeks, Wetlands, Riparian Areas and Significant Water Resources

MOVED BY: COUNCILLOR WILLIAMSON

SECONDED: COUNCILLOR GREEN

137 That the report dated February 22, 2006 from the Director, Community & Development Services regarding “Amending the Official Community Plan to Protect Creeks, Wetlands, Riparian Areas and Significant Water Resources” be received, and that Staff be directed to draft the necessary bylaws for amending the current Official Community Plan to add Development Permit Area No. 17 for the protection of creeks, wetlands, riparian areas and significant water resources in compliance with the requirements of Section 12 of the *Fish Protection Act*.

CARRIED

Malahat Route Study

MOVED BY: COUNCILLOR WILLIAMSON

SECONDED: COUNCILLOR GREEN

138 That the report dated February 22, 2006 from the Chief Administrative Officer regarding “Malahat Route Study” be received, and that:

- (a) The District of North Saanich advise the Premier, the Minister of Transportation and Highways, its MLA, the Honorable Murray Coell, Minister of Advanced Education and Minister responsible for Research and Technology, and the Minister of Community Services that the District strongly opposes the Ministry of Transportation and Highways proposed bridge crossing from Cherry Point to Deep Cove at either Moses Point or Coal Point.
- (b) The District of North Saanich encourages members of the public to correspond directly by either emailing their concerns to malahat@stantec.com or to Stantec Consulting Ltd. 977 Fort Street, Victoria, British Columbia, V8V 3K3.

CARRIED

Minutes

MOVED BY: COUNCILLOR WILLIAMSON
SECONDED: COUNCILLOR FEA

- 139 That the minutes of the February 16, 2006 Parks Commission meeting be received.

CARRIED

MOVED BY: COUNCILLOR WILLIAMSON
SECONDED: COUNCILLOR FEA

- 140 That the minutes of the February 7, 2006 Deep Cove / Pat Bay / McDonald Park Road Sewer Area Residents Liaison Committee meeting be received.

CARRIED

MOVED BY: COUNCILLOR WILLIAMSON
SECONDED: COUNCILLOR FEA

- 141 That the minutes of the February 1, 2006 Community Cultural and Spirit Committee meeting be received.

CARRIED

MOVED BY: COUNCILLOR WILLIAMSON
SECONDED: COUNCILLOR GREEN

- 142 That the minutes of the February 27, 2006 Committee of the Whole meeting, hereto attached as Addendum 'A', be received.

CARRIED

OTHER REPORTS**TD Canada Trust Overdraft Protection**

MOVED BY: COUNCILLOR GREEN
SECONDED: COUNCILLOR SHAW

- 143 That the report dated February 18, 2006 from the Director of Financial Services regarding TD Canada Trust Overdraft Protection be received, and that the District of North Saanich arrange overdraft protection and business VISA with TD Commercial Banking in the amount of \$140,000.

CARRIED

BY-LAWS**North Saanich Official Community Plan By-Law No. 874 (1998), Amendment By-Law No. 1115 (2005) – Development Permit Area No. 17 “Creeks, Wetlands, Riparian Areas and Significant Water Sources”**

MOVED BY: COUNCILLOR WILLIAMSON
SECONDED: COUNCILLOR SHAW

- 144 That “North Saanich Official Community Plan By-Law No. 874 (1998), Amendment By-Law No. 1115 (20065)” be read a first time.

CARRIED

MOVED BY: COUNCILLOR GREEN
SECONDED: COUNCILLOR SCOONES

- 145 That “North Saanich Official Community Plan By-Law No. 874 (1998), Amendment By-Law No. 1115 (20065)” be read a second time.

CARRIED

UNFINISHED BUSINESS**Development Variance Permit Application – 279 Coal Point Lane**

MOVED BY: COUNCILLOR FEA
SECONDED: COUNCILLOR SHAW

- 146 That the application for a Development Variance Permit for 279 Coal Point Lane to relax the required distance from the natural marine shoreline from 15 metres to 5.25 metres to facilitate the construction of a deck with fire pit, and to increase the maximum permitted lot coverage of the site from 20% to 23.4% be approved.

CARRIED

Council**Development Variance Permit Application – 2275 Tryon Road**

MOVED BY: COUNCILLOR WILLIAMSON
SECONDED: COUNCILLOR SCOONES

- 147 That the application for a Development Variance Permit for 2275 Tryon Road to authorize the construction of an addition to the principal dwelling resulting in an increase in the maximum floor area from 465 m² to 528.9 m² be approved.

CARRIED

IN CAMERA

MOVED BY: COUNCILLOR GREEN
SECONDED: COUNCILLOR SHAW

- 148 That in accordance with Section 90(1) of the *Community Charter*, attendance for the remainder of the Council meeting, commencing at 8:11 p.m., be closed to the public to consider:
- law enforcement, if the council considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment;
 - the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

CARRIED

ADJOURNMENT

MOVED BY: COUNCILLOR GREEN
SECONDED: COUNCILLOR FEA

- 149 That the meeting be adjourned at 8:34 p.m.

CARRIED

CERTIFIED CORRECT

APPROVED AND CONFIRMED

Sandy Bowden
Director, Corporate Services

Ted Daly
Mayor