

# DISTRICT OF NORTH SAANICH

## Minutes of the meeting of Committee of the Whole

Monday, April 27, 2009 at 7:00 p.m.

**PRESENT:**

Chair	C. Green
Mayor	A. Finall
Councillors	P. Chandler
	R. Commandeur
	S. Fea
	A. Scoones
	B. Shaw

**ATTENDING:**

Chief Administrative Officer	B. C. Williams
Director of Financial Services	R. M. Gillis
Director of Development & Community Services	T. Olsen
Manager of Corporate Services	C. Kingsley
Executive Secretary	C. R. Nash

The Chair called the meeting to order at 7:00 p.m. She expressed condolences to the Townshend family on the recent loss of Marika, who served as one of the District's School Trustees for the past number of years and was a very active member of the community.

### APPROVAL OF AGENDA

MOVED BY: COUNCILLOR CHANDLER

SECONDED: MAYOR FINALL

78-COW That the agenda be approved as circulated.

CARRIED

### ADOPTION OF MINUTES

Councillor Chandler noted that motion 74-COW should be amended to note that Council requested both metric and Imperial units of measure in the District's Zoning Bylaw.

MOVED BY: COUNCILLOR SCOONES

SECONDED: COUNCILLOR COMMANDEUR

79-COW That the minutes of the March 23, 2009 Committee of the Whole meeting be approved as amended.

CARRIED

## **PRESENTATIONS**

### **MARINE SHORELINE INVENTORY UPDATE**

**Nikki Wright, Executive Director, SeaChange Marine Conservation Society**, was in attendance to provide a presentation to Council with regards to the Marine Shoreline Inventory project currently being undertaken for the District of North Saanich. She advised that 72 km of shoreline will be inventoried for the municipalities of North Saanich, Central Saanich and the Cowichan Valley, and noted that the blue line on the map indicates that field work is complete in that area. She advised that the entire project should be completed by May 31, 2009. She also noted that the data collectors undertake a process called “ground truthing”, which is an inventory taken from the shoreline, not above, and includes notes for areas of land that have been modified. Once the inventory is completed, a GIS Technician will be able to input property lines for the data.

## **REFERRALS / REPORTS**

### **SECONDARY SUITE STRATEGY**

Councillor Fea excused herself from the meeting at 7:28 p.m. due to the fact that she has a secondary suite in her home. Councillor Shaw asked the Chief Administrative Officer if Councillor Fea would be considered exempt in this case as Council’s discussion pertains to secondary suites District wide. He encouraged the Chief Administrative Officer and Mayor Finall to discuss this further with Councillor Fea and suggested that she obtain legal advice.

Staff was directed to consult with the Capital Regional District regarding how the implementation of secondary suites in the South-east Quadrant would affect North Saanich’s projections in the Regional Growth Strategy.

Mayor Finall suggested that Staff consult with the District of Central Saanich in order to obtain feedback on the secondary suite strategy that they implemented over a year ago. She also requested more information on the possibility of some sort of covenant in place to require owner occupancy of all properties with secondary suites, and that there should be a requirement for off-street parking for those occupying secondary suites. Councillor Chandler suggested that Staff endeavour to determine exactly how many secondary suites currently exist in North Saanich before choosing a trial area for a secondary suite strategy. Councillor Shaw noted that the cost estimate for installing a secondary suite is low and should be reconsidered, and discouraged the implementation of a registered license fee. Staff was directed to include those sections of the Housing Strategy that have been approved by Council in the next edition of the District’s newsletter. Councillor Scoones asked what costs the District would incur in additional staff time for implementing and inspecting secondary suites.

MOVED BY: MAYOR FINALL

SECONDED: COUNCILLOR COMMANDEUR

80-COW      That the report dated April 15, 2009 from the Director of Development and Community Services regarding “Secondary Suite Strategy” be received, and that the proposal for a secondary suite strategy and implementation be

referred back to Staff for further information as per the questions posed by Council, for a report back to Council by the end of July 2009.

CARRIED

Councillor Fea returned to the meeting at 8:08 p.m.

#### **DEVELOPMENT INFORMATION APPROVAL BYLAW**

MOVED BY: COUNCILLOR SCOONES  
SECONDED: COUNCILLOR CHANDLER

81-COW        That the report dated April 22, 2009 from the Director of Development and Community Services regarding “Development Information Approval Bylaw” be received, and that Council endorses the draft policy attached to the report.

CARRIED

#### **DEVELOPMENT PERMIT AND DEVELOPMENT VARIANCE PERMIT APPLICATION FOR 1676 LANDS END ROAD**

Silvia Bonet, on behalf of the owner of 1676 Lands End Road, noted that a Development Permit and Development Variance Permit application has been submitted in order to construct a garage on to an existing house which has very steep access.

MOVED BY: MAYOR FINALL  
SECONDED: COUNCILLOR CHANDLER

82-COW        That the report dated April 22, 2009 from the Director of Development and Community Services regarding “Development Permit and Development Variance Permit Application for 1676 Lands End Road” be received and referred to the Advisory Planning Commission and Environmental Advisory Commission for recommendation, with the provision that an engineers report on slope stability be provided to the Commissions prior to their review of this application.

CARRIED

#### **ZONING BYLAW REVIEW – SECTIONS ONE, TWO AND SUB-SECTION 301**

The Director of Development and Community Services noted that the District’s solicitor has yet to review the proposed changes to sections one, two and subsection 301 of the Zoning Bylaw. Mayor Finall asked for consistency in the use of the words “building” and “structure” throughout the bylaw.

MOVED BY: MAYOR FINALL  
SECONDED: COUNCILLOR SCOONES

83-COW That the report dated April 22, 2009 from the Director of Development and Community Services regarding “Zoning Bylaw Review – Sections One, Two and Sub-section 301” be received, and that Staff be directed to continue with revisions to the Zoning Bylaw.

CARRIED

## **TEMPORARY FARM WORKER HOUSING**

MOVED BY: COUNCILLOR SCOONES  
SECONDED: MAYOR FINALL

84-COW That the report dated September 30, 2008 from the Ministry of Agriculture and Lands, Sustainable Agriculture Management Branch and Regional Operations Branch, regarding “Regulating Temporary Farm Worker Housing in the ALR” be received and referred to the Agricultural Advisory Commission for consideration and comment on what recommendations may be useful in the District’s Agriculture Plan.

CARRIED

## **STRATEGIC PLAN**

Council suggested some minor amendments to the Strategic Plan and thanked Staff for their work on preparing this document.

MOVED BY: MAYOR FINALL  
SECONDED: COUNCILLOR SHAW

85-COW That the District of North Saanich Strategic Plan for 2009 – 2011 be adopted as amended and referred to all District advisory Commissions for information.

CARRIED

## **PUBLIC CONSULTATION ON THE REVISED TREE PROTECTION BYLAW**

Mayor Finall suggested that the Open House be moved to September instead of June in order to allow the Commissions more time for input and so as not to occur prior to summer. Councillor Green encouraged Staff to advertize the open house widely including e-mail notification.

MOVED BY: MAYOR FINALL  
SECONDED: COUNCILLOR CHANDLER

86-COW That the report dated April 22, 2009 from the Director of Development and Community Services regarding “Public Consultation on the Revised Tree Protection Bylaw” be received, and that Staff be directed to continue with the public consultation process on the proposed revisions to the Tree Protection Bylaw with an open house set for late September, and implement the advertising proposed in the Staff report.

CARRIED

## DRAFT TREE PROTECTION BYLAW

Councillor Scoones suggested that the bylaw be reworded to be less negative and encourage residents to plant trees, and include clarification on what makes a tree protected. Staff was directed to include on the next Council/Staff workshop agenda a process on how Council should implement suggested changes to the Draft Tree Protection Bylaw.

MOVED BY: COUNCILLOR SCOONES

SECONDED: MAYOR FINALL

87-COW That the following recommendation passed at the April 15, 2009 Environmental Advisory Commission meeting be received:

*“That the Environmental Advisory Commission, having discussed the details of the proposed bylaw at length, recommends for consideration by Council the following points:*

1. *The diameter at which a tree cannot be cut without an application for a permit is, at 20 centimeters, too small;*
2. *With regard to Protected Trees:*
  - i) *the inclusion of Arbutus should be reconsidered; and*
  - ii) *the height at which Garry Oak, Arbutus, Pacific Dogwood and Pacific Yew become a “Protected Tree” namely, 50 centimeters, is too low;*
3. *Provision must be made for the removal of Protected Trees if they threaten the stability of a bank;*
4. *The bylaw as drafted still permits the clear-cutting of property – it will just take longer;*
5. *Should there be a cumulative maximum number of trees that can be removed from a property;*
6. *Heritage trees should be added to the inventory in Schedule A;*
7. *A preamble should be added stating the objectives of the bylaw such as “To protect significant trees and to maintain tree cover in North Saanich”;*
8. *The fine is too high and should not be expressed as a minimum but a maximum;*
9. *The ability to remove trees impacting septic fields needs to be added;*
10. *The concept of compensation and replacement should be considered in special development areas to permit property to be cleared and built upon with the cleared trees then being replaced;*
11. *The building envelope needs to be defined to include an allowance for excavation so that no tree is closer than 10 feet to a house.”*

CARRIED

## ZONING BYLAW REVIEW SUB-COMMITTEE

MOVED BY: COUNCILLOR SCOONES

SECONDED: MAYOR FINALL

88-COW That Hamish Crawford and Jock von Kaldenberg be appointed to a subcommittee of the Agricultural Advisory Commission for the purpose of reviewing the Zoning Bylaw.

CARRIED

## **2009 FLAVOUR TRAIL**

MOVED BY: COUNCILLOR SCOONES  
SECONDED: MAYOR FINALL

89-COW      That Sarah Hughes be authorized to coordinate the 2009 North Saanich Flavour Trail.

CARRIED

## **CONTROLLING INVASIVE PLANTS**

The Chief Administrative Officer advised that the Works Superintendent would be preparing a report to Council which will address the recommendations proposed by Ron and Marika Townshend and offer some suggestions for implementation.

MOVED BY: COUNCILLOR FEA  
SECONDED: MAYOR FINALL

90-COW      That the following recommendation passed at the April 1, 2009 Heritage Advisory Commission meeting be received:

*“That the Heritage Advisory Commission supports efforts to control invasive plants as outlined in the letter from Ron and Marika Townshend.”*

CARRIED

## **DUNSMUIR LODGE**

MOVED BY: COUNCILLOR CHANDLER  
SECONDED: COUNCILLOR SCOONES

91-COW      That the following recommendation from the February 19, 2009 Parks Commission meeting be received:

*“The Parks Commission recommends to Council that it should explore all options to retain existing community uses of the Dunsmuir property.”*

CARRIED

## **MINUTES**

### **\*MOTION DEFEATED\***

MOVED BY: MAYOR FINALL  
SECONDED: COUNCILLOR COMMANDEUR

92-COW      That all liaisons to District Advisory Commissions be full voting members and that this be made consistent in the establishment bylaws for all District Advisory Commissions.

DEFEATED

OPPOSED: COUNCILLOR CHANDLER, COUNCILLOR SCOONES,  
COUNCILLOR SHAW, COUNCILLOR FEA, COUNCILLOR GREEN AND  
COUNCILLOR COMMANDEUR

MOVED BY: MAYOR FINALL  
SECONDED: COUNCILLOR CHANDLER

93-COW That all liaisons to District Advisory Commissions be non-voting members and that this be made consistent in the establishment bylaws for all District Advisory Commissions.

CARRIED

MOVED BY: COUNCILLOR CHANDLER  
SECONDED: MAYOR FINALL

94-COW That the minutes of the March 25, 2009 Advisory Planning Commission meeting be received.

CARRIED

MOVED BY: COUNCILLOR FEA  
SECONDED: COUNCILLOR COMMANDEUR

95-COW That the following minutes be received:

- Agricultural Advisory Commission minutes of March 5, 2009, April 2, 2009 and April 9, 2009;
- Environmental Advisory Commission minutes of March 18, 2009 and April 15, 2009;
- Heritage Advisory Commission minutes of April 1, 2009; and,
- Parks Commission minutes of February 19, 2009.

CARRIED

### **IN CAMERA**

MOVED BY: COUNCILLOR SCOONES  
SECONDED: COUNCILLOR CHANDLER

96-COW That in accordance with Section 90(1) of the Community Charter, attendance for the remainder of the Committee of the Whole meeting, commencing at 9:28 pm, be closed to the public to consider:

- The receipt of advice that is subject to solicitor-client privilege, including communication necessary for that purpose.

CARRIED

**ADJOURNMENT**

MOVED BY: COUNCILLOR SHAW  
SECONDED: COUNCILLOR FEA

97-COW      That the meeting be adjourned at 9:38 p.m.

CARRIED

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Councillor Green