

DISTRICT OF NORTH SAANICH

Minutes of the meeting of Committee of the Whole

Monday, May 11, 2009 at 7:00 p.m.

PRESENT:

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

ABSENT:

Councillor R. Commandeur

ATTENDING:

Acting Chief Administrative Officer R. 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 then outlined the new rules governing Public Participation at Committee of the Whole meetings.

APPROVAL OF AGENDA

MOVED BY: COUNCILLOR CHANDLER

98-COW That the agenda be approved as circulated.

CARRIED

ADOPTION OF MINUTES

MOVED BY: COUNCILLOR FEA

99-COW That Committee of the Whole recommends to Council that the minutes of the April 27, 2009 Committee of the Whole meeting be approved as circulated.

CARRIED

PRESENTATIONS

BC ASSESSMENT

Gerry Marolla, Deputy Assessor, was in attendance to answer questions regarding University owned property assessments (Dunsmuir Lodge). He noted that Dunsmuir Lodge has been exempt from property taxes since 1987 as it is "held or used" by a University for University purposes. He advised that the Supreme Court of BC is currently reviewing an

appeal with regards to the definition of “held or used” and that a decision isn’t expected for a few months.

REFERRALS / REPORTS

DEVELOPMENT PERMIT APPLICATION FOR 8530 WEST SAANICH ROAD

Les Jamieson, on behalf of the applicant, advised that the Development Permit Application for 8530 West Saanich Road is to extend an existing boathouse and undertake remedial work in Development Permit Area No. 1. It was noted that a number of trees were removed from the property by the previous owners, causing a failure of the bank in December 2008.

Elaine Stewart, 560 Salmon Road, noted that she feels that the remedial work done at 8530 West Saanich Road to date is destroying the water tenement. She asked that the springs flowing down from Mount Newton be restored to ensure that she and her neighbours have water well into the future.

Mayor Finall advised that issues pertaining to water tenements are between property owners and that the District can not get legally involved.

Staff was directed to bring the issue “Municipal Water to the Southwest Quadrant” to a future Committee of the Whole agenda, but it was noted that this issue will not address water tenements.

MOVED BY: COUNCILLOR SHAW

100-COW That Committee of the Whole recommends to Council that the report dated May 6, 2009 from the Director of Development and Community Services regarding “Development Permit Application for 8530 West Saanich Road” be received and referred to the Environmental Advisory Commission for recommendation.

CARRIED

DEVELOPMENT PERMIT FOR 11380 CHALET ROAD

Councillor Chandler asked that the Environmental Advisory Commission be provided with the previous application for a Development Permit at 11380 Chalet Road.

MOVED BY: COUNCILLOR FEA

101-COW That Committee of the Whole recommends to Council that the report dated April 28, 2009 from the Director of Development and Community Services regarding “Development Permit for 11380 Chalet Road” be received and referred to the Environmental Advisory Commission for recommendation.

CARRIED

**DEVELOPMENT PERMIT AND DEVELOPMENT VARIANCE PERMIT
APPLICATION FOR 2429 TRYON ROAD**

MOVED BY: COUNCILLOR CHANDLER

102-COW That Committee of the Whole recommends to Council that the report dated May 6, 2009 from the Director of Development and Community Services regarding “Development Permit and Development Variance Permit Application for 2429 Tryon Road” be received and referred to the Advisory Planning Commission and Environmental Advisory Commission for recommendation.

CARRIED

**DEVELOPMENT VARIANCE PERMIT APPLICATION FOR 831 TOWNER PARK
ROAD**

Bill Patterson, on behalf of the applicant, noted that the Development Variance Permit Application for 831 Towner Park Road is to increase an existing garage, and gave reasons for the rationale in choosing this design as opposed to building an additional carport.

MOVED BY: COUNCILLOR SHAW

103-COW That Committee of the Whole recommends to Council that the report dated May 6, 2009 from the Director of Development and Community Services regarding “Development Variance Permit Application for 831 Towner Park Road” be received and referred to the Advisory Planning Commission for recommendation.

CARRIED

DEVELOPMENT APPROVAL INFORMATION BYLAW

The Director of Development and Community Services clarified that the Development Approval Information Bylaw would be only for extremely large projects in extremely environmentally sensitive areas in order for the District to gauge the magnitude of costs and the possible impacts on the community.

MOVED BY: COUNCILLOR SCOONES

104-COW That “North Saanich Development Approval Information Bylaw No. 1205 (2009)” be amended as suggested by Council and brought forward to the June 1, 2009 Council meeting for third reading and final adoption.

CARRIED

ZONING BYLAW REVIEW – SECTION THREE (EXCEPT FOR SUB-SECTION 301)

Council requested a number of minor amendments and corrections to the draft Zoning Bylaw (section three).

Colin Ross, 8898 Haro Park Terrace, expressed concern at the proposed maximum ridge height of 14 metres in P1 and P2 zones, and noted that Council could expect problems in the future if this ridge height is accepted.

Bryan Bailey, 8916 Haro Park Terrace, suggested that the public be given adequate advance notice prior to final consideration of the Zoning Bylaw.

MOVED BY: MAYOR FINALL

105-COW That Committee of the Whole recommends to Council that Zone C3 be deleted from the Zoning Bylaw.

CARRIED

MOVED BY: MAYOR FINALL

106-COW That Committee of the Whole recommends to Council that the report dated May 6, 2009 from the Director of Development and Community Services regarding “Zoning Bylaw Review – Section Three (except for sub-section 301)” be received, and that Staff be directed to continue with revisions to the Zoning Bylaw.

CARRIED

DRAFT TREE BYLAW

MOVED BY: COUNCILLOR SCOONES

107-COW That Committee of the Whole recommends to Council that the following recommendation from the April 22, 2009 Advisory Planning Commission meeting be received:

“That the Advisory Planning Commission recommends to Council that the list of ‘Protected Trees’ in the draft District of North Saanich Tree Cutting Regulation Bylaw be reviewed as to species and tree size.

That the Advisory Planning Commission recommends to Council that a full and detailed definition of pruning be included in the proposed bylaw as the several existing provisions are possibly inconsistent.

That the Advisory Planning Commission recommends to Council that section 5.7 of the draft District of North Saanich Tree Cutting Regulation Bylaw be deleted.”

CARRIED

MOVED BY: MAYOR FINALL

108-COW That Committee of the Whole recommends to Council that all comments received from District Commissions and Committees be provided to the public at the time of the Open House on the proposed Tree Bylaw.

CARRIED

Colin Ross, 8898 Haro Park Terrace, reminded Council that 782 homes in Dean Park Estates have a tree covenant. It was clarified that the District's Tree Bylaw would take precedence over the tree covenants in Dean Park Estates.

CONTROLLING INVASIVE PLANT SPECIES

MOVED BY: COUNCILLOR CHANDLER

109-COW That Committee of the Whole recommends to Council that the following recommendation from the April 22, 2009 Advisory Planning Commission meeting be received:

"That the Advisory Planning Commission agrees wholeheartedly with the ideas and proposal put forth in the letter by Ron and Marika Townshend dated March 8, 2009."

CARRIED

MOVED BY: MAYOR FINALL

110-COW That Committee of the Whole recommends that Council implement as many as possible of the recommendations in the letter from Ron and Marika Townshend dated March 8, 2009.

SUBSIDIARY MOTION

MOVED BY: MAYOR FINALL

111-COW That resolution 110-COW be tabled until such time as comments pertaining to the draft Tree Bylaw have been received from all District Commissions.

CARRIED

ADVISORY PLANNING COMMISSION BYLAW

MOVED BY: COUNCILLOR CHANDLER

112-COW That Committee of the Whole recommends to Council that the following recommendation from the April 22, 2009 Advisory Planning Commission meeting be received and that the Manager of Corporate Services provide a response to Council by the next Committee of the Whole meeting:

"That the Advisory Planning Commission recommends to Council that sections 2 and 11 of the 'North Saanich Advisory Planning and

Environmental Advisory Commission Bylaw (1990)' be reviewed for consistency of references to the Local Government Act."

CARRIED

MINUTES

MOVED BY: COUNCILLOR CHANDLER

113-COW That Committee of the Whole recommends to Council that the following minutes be received:

- (a) April 22, 2009 Advisory Planning Commission minutes; and,
- (b) April 1, 2009 North Saanich Free Ride Park Committee minutes.

CARRIED

ADJOURNMENT

MOVED BY: MAYOR FINALL

114-COW That the meeting be adjourned at 9:09 p.m.

CARRIED

Councillor Green