

**Minutes of the Regular Meeting
of the
Municipal Council of the District of North Saanich
Monday, February 16, 2009 at 7:00 p.m.**

PRESENT:

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

ATTENDING:

Chief Administrative Officer B. C. Williams
Director of Financial Services R. Gillis
Director of Development and Community Services T. Olsen
Manager of Corporate Services C. Kingsley
Administration Secretary L. Coburn

INTRODUCTION OF LATE ITEMS

Under Reports, add the report by the Director of Development and Community Services dated February 13, 2009 entitled "Parking Standards for Schools – Bylaw Amendment."

APPROVAL OF AGENDA

MOVED BY: COUNCILLOR CHANDLER
SECONDED: COUNCILLOR COMMANDEUR

64 That the agenda be approved as amended.

CARRIED

PRESENTATIONS PERTAINING TO AGENDA ITEMS

Eva Kerr expressed concern with Council's decision to deny the development variance permit application for 10969 Chalet Road and urged Council to encourage the development of smaller houses.

Normand Schafer suggested ways that the municipality can communicate information to residents by utilizing the electronic signs of organizations, such as Panorama Recreation Centre and Mary Winspear Centre, to which the District makes a financial contribution.

ADOPTION OF MINUTES

MOVED BY: COUNCILLOR SHAW
SECONDED: COUNCILLOR GREEN

65 That the minutes of the Regular Council meeting of February 2, 2009 be adopted as circulated.

CARRIED

PETITIONS AND DELEGATIONS

(a) **CRD Budget Presentation**

Diana Lokken, General Manager of Corporate Services, Capital Regional District, was in attendance to provide Council with information pertaining to the CRD's budget for 2009.

MAYOR'S REPORT

Mayor Finall advised Council of a meeting of concerned stakeholders regarding the future of the Dunsmuir Lodge, to be held at Dunsmuir.

CORRESPONDENCE

(a) **Grant in Aid Requests**

MOVED BY: COUNCILLOR GREEN
SECONDED: COUNCILLOR COMMANDEUR

66 That the correspondence from Beacon Community Services, The Friends of Dominion Brook Park, The Friends of Living and Learning Through Loss, and The North Saanich Food for the Future Society requesting grants in aid be received, and referred to the Budget Committee.

CARRIED

(b) **Request for Reconsideration of the Rezoning and Official Community Plan Amendment Application for 9362 East Saanich Road**

MOVED BY: COUNCILLOR COMMANDEUR
SECONDED: COUNCILLOR GREEN

67 That the letter dated January 23, 2009 from R. Shuey, 934A Foul Bay Road, requesting reconsideration of the Rezoning and Official Community Plan Amendment Application for 9362 East Saanich Road be received.

CARRIED

Council

(c) Fourth Quarter Policing Report

MOVED BY: COUNCILLOR CHANDLER
SECONDED: COUNCILLOR COMMANDEUR

68 That the letter dated January 26, 2009 from Acting Staff Sergeant C.W. Conley, Sidney/North Saanich RCMP Detachment, regarding the fourth quarter policing report be received.

CARRIED

(d) Budget suggestion for advertising local events

MOVED BY: COUNCILLOR FEA
SECONDED: COUNCILLOR CHANDLER

69 That the e-mail dated January 28, 2009 from Normand Schafer, 1089 Clayton Road, regarding a budget suggestion for advertising local events be received, and referred to the Budget Committee.

CARRIED

(e) Request for Reconsideration of the Development Variance Permit Application for 10969 Chalet Road

MOVED BY: COUNCILLOR CHANDLER
SECONDED: COUNCILLOR COMMANDEUR

70 That the e-mail dated February 2, 2009 from Eva Kerr, 8518 Moxon Terrace, requesting reconsideration of the Development Variance Permit Application for 10969 Chalet Road be received.

CARRIED

REPORTS

Budget Committee

MOVED BY: COUNCILLOR GREEN
SECONDED: COUNCILLOR SCOONES

71 That:

- (a) The capital budget presented by the Fire Chief on behalf of the Fire Department be approved.
- (b) The letter from the Sidney Museum and the Community Arts Council be moved to the Grants in Aid discussion.
- (c) The position of Town Crier for the District of North Saanich be discontinued.

Council

- (d) A three month trial period be undertaken at the municipal pit of opening the 2nd and 4th Thursday of the month April, May and June 2009.
- (e) The minutes of the February 9, 2009 Budget Committee meeting be approved.

CARRIED

Other

Section 57 Notices

MOVED BY: COUNCILLOR SCOONES
SECONDED: COUNCILLOR COMMANDEUR

72 That the report dated February 11, 2009 from the Director of Development and Community Services regarding “Section 57 Notices” be received, and that Council authorizes a notice, in accordance with Section 57 of the *Community Charter*, to be placed on title of the eight properties located at:

Address	Legal Description	Permit Number
8660 Aldous Terrace	Lot A, Section 2, Range 3 East, North Saanich District, Plan VIP 63225	0856
9751 Ardmore Drive	Lot 3, Block 15, Section 9, Range 2 West, North Saanich District, Plan 1437	0763
8580 Kingcome Crescent	Lot 3, Section 1, Range 1 East, North Saanich District, Plan 46547	0531
1014 Lands End Road	Lot A, Section 24, Range 1 West, North Saanich District, Plan 16129	0479
1069 Maple Road	Lot 5, Block 12, Section 20, Range 1 West, North Saanich District, Plan 1787	0623
8689 Pender Park Drive	Lot A, Section 2, Range 2 East, North Saanich District, Plan VIP53893	0969
11171 West Saanich Road	Lot 2, Block 7, Section 21, Range 1 West, North Saanich District, Plan 1787	0782
10425 Wilson Road	Lot 3, Block 13, Section 15, Range 1 East, North Saanich District, Plan 2276	No Permit

CARRIED

Parking Standards for Schools – Bylaw Amendment

MOVED BY: COUNCILLOR CHANDLER
SECONDED: COUNCILLOR GREEN

73 That the report dated February 13, 2009 from the Director of Development and Community Services regarding “Parking Standards for Schools – Bylaw Amendment” be received for information.

CARRIED

Council

CAO'S REPORT

B. Williams advised that given the receipt by Council of the report on school parking, a Public Hearing would be scheduled as soon as possible. He asked for feedback from Council on the draft newsletter. He also advised that a number of issues would be back to Council shortly including: 9645 West Saanich Road, 598 Meldram Road, 10993 Setchell Road, and 525 Towner Park.

BYLAWS

North Saanich Animal Control Bylaw (1993), Amendment Bylaw No. 1188 (2009)

MOVED BY: COUNCILLOR GREEN
SECONDED: COUNCILLOR FEA

74 That "North Saanich Animal Control Bylaw (1993), Amendment Bylaw No. 1188 (2009)" be finally adopted, signed by the Mayor and the Corporate Officer and sealed with the Corporate Seal.

CARRIED

North Saanich Parks Commission Bylaw (1996), Amendment Bylaw No. 1195 (2009)

MOVED BY: COUNCILLOR SCOONES
SECONDED: COUNCILLOR CHANDLER

75 That "North Saanich Parks Commission Bylaw (1996), Amendment Bylaw No. 1195 (2009)" be finally adopted, signed by the Mayor and the Corporate Officer and sealed with the Corporate Seal.

CARRIED

CRD Onsite Sewage Systems Service Parcel Tax Roll Preparation Bylaw No. 1197 (2009)

MOVED BY: COUNCILLOR SHAW
SECONDED: COUNCILLOR FEA

76 That "CRD Onsite Sewage Systems Service Parcel Tax Roll Preparation Bylaw No. 1197 (2009)" be read a first time.

CARRIED

OPPOSED: MAYOR FINALL, COUNCILLOR CHANDLER AND COUNCILLOR GREEN

MOVED BY: COUNCILLOR SHAW
SECONDED: COUNCILLOR FEA

77 That "CRD Onsite Sewage Systems Service Parcel Tax Roll Preparation Bylaw No. 1197 (2009)" be read a second time.

CARRIED

OPPOSED: MAYOR FINALL, COUNCILLOR CHANDLER AND COUNCILLOR GREEN

MOVED BY: COUNCILLOR SHAW
SECONDED: COUNCILLOR FEA

78 That "CRD Onsite Sewage Systems Service Parcel Tax Roll Preparation Bylaw No. 1197 (2009)" be read a third time.

CARRIED

OPPOSED: MAYOR FINALL, COUNCILLOR CHANDLER AND COUNCILLOR GREEN

MOTIONS AND NEW BUSINESS

Outstanding Sewer Issues

MOVED BY: COUNCILLOR SCOONES
SECONDED: COUNCILLOR COMMANDEUR

79 That Staff be directed to prepare a report to Council addressing the following:

- A complete review of the costs for the sewer projects to date;
- The full loan amount(s) received for the sewer projects;
- The number of properties remaining to be connected in both the Southeast Quadrant and Sewer Area #3;
- The amount of capacity remaining after the ferry quota is taken into account;
- An update on odour control, landscaping and noise issues in the pump station areas;
- Staff training regarding sewer projects;
- The revenue from BC Ferries sewer connection and when that money would be available and when Council will be discussing it; and
- Storm water management and impact on the environment.

CARRIED

OPPOSED: COUNCILLOR FEA AND COUNCILLOR SHAW

Council

Independent Power Projects

MOVED BY: COUNCILLOR SCOONES
SECONDED: COUNCILLOR GREEN

80 That the Provincial Government be notified that North Saanich Council support the Tofino Chamber of Commerce's recommended moratorium as listed below:

That the Provincial Government place a moratorium on issuing Water Licenses or Licenses of Occupation for Independent Power Projects until:

- *All Independent Power Projects are publicly owned and regulated by BC Hydro;*
- *Regional Plans are developed for all Independent Power Projects;*
- *Regulations require all Independent Power Projects to be assessed under the Environmental Assessment Act to determine if they are appropriate; and,*
- *The development of Independent Power Projects are acceptable to local First Nations.*

CARRIED

OPPOSED: COUNCILLOR COMMANDEUR, COUNCILLOR FEA AND COUNCILLOR SHAW

Grant applications

The following motion by Councillor Scoones failed due to lack of a seconder.

That Council refers all appropriate grant application information which is received regularly by Council to appropriate Commissions for consideration and comment.

PUBLIC PARTICIPATION PERIOD PERTAINING TO ITEMS NOT ON THE AGENDA

Janet Rooke, 2100 Randles Lane asked that Councillors speak into the microphones in order that members of the public can hear their comments.

As there was no one else who wished to speak, the Public Participation Period concluded at 9:12 p.m.

IN CAMERA

MOVED BY: COUNCILLOR CHANDLER
SECONDED: COUNCILLOR SHAW

- 81 That in accordance with Section 90(1) of the *Community Charter*, attendance for the remainder of the Council meeting, commencing at 9:18 p.m., be closed to the public to consider:
- personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;
 - the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality;
 - 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.

CARRIED

RISE AND REPORT

MOVED BY: COUNCILLOR CHANDLER
SECONDED: COUNCILLOR GREEN

- 82 That Council directs staff to take the necessary legal proceeding to apply for a civil injunction and costs, requiring Mr. and Mrs. Mouret, the owners of 687 Towner Park Road North Saanich, to comply with section 3.5 of the North Saanich Building and Plumbing Bylaw No. 1150 and further that the Mourets be notified that the Stop Work Order on the property will not be lifted until corrections as requested have been completed and the building inspector has authorized in writing the continuance of the work.

That the following statement be added to the proposed policy to establish criteria for evaluating Commission applications:

“In considering any application, Council will consider (among other things) whether the applicant would be in a position of conflict of interest or whether there might be a perception of bias because of (among other things) close personal ties or a family or business relationship with a member of Council or a municipal officer or employee.”

That the following appointments to District Advisory Commissions have been made:

- 1) Helene Malvet be appointed to the Heritage Advisory Commission for a two year term;
- 2) Farrell Boyce be re-appointed to the Parks Commission for a two year term;
- 3) Janet Silman be re-appointed to the Parks Commission for a two year term;
- 4) Richard Fell be appointed to the Parks Commission for a two year term;

- 5) Barry Wills be appointed to the Parks Commission for a two year term;
- 6) Joyce Nordlund be re-appointed to the Parks Commission for a two year term;
- 7) Jamie Cox be appointed to the Parks Commission for a two year term;
- 8) Ted Izard be re-appointed to the Advisory Planning Commission for a two year term;
- 9) Al Burgoyne be appointed to the Advisory Planning Commission for a two year term;
- 10) Richard Nordlund be appointed to the Advisory Planning Commission for a two year term;
- 11) Antony Springfield Harrison be appointed to the Advisory Planning Commission for a two year term;
- 12) Raymond Le Noury be appointed to the Environmental Advisory Commission for a two year term;
- 13) Ian Norie be re-appointed to the Environmental Advisory Commission for a two year term;
- 14) David Searle be appointed to the Environmental Advisory Commission for a two year term;
- 15) Claire Shaw be appointed to the Environmental Advisory Commission for a two year term;
- 16) Jack Thornburgh be appointed to the Environmental Advisory Commission for a two year term;
- 17) John Thorp be re-appointed to the Environmental Advisory Commission for a two year term;
- 18) Jock Von Kaldenberg be appointed to the Agricultural Advisory Commission for a two year term;
- 19) Bernadette Greene be appointed to the Agricultural Advisory Commission for a two year term.

CARRIED

ADJOURNMENT

MOVED BY: COUNCILLOR CHANDLER
SECONDED: COUNCILLOR GREEN

83 That the meeting be adjourned at 10:55 p.m.

CARRIED

CERTIFIED CORRECT

APPROVED AND CONFIRMED

Bruce Williams
Chief Administrative Officer

Alice Finall
Mayor