

DISTRICT OF SAANICH  
MINUTES OF THE COUNCIL MEETING  
HELD IN THE COUNCIL CHAMBERS  
SAANICH MUNICIPAL HALL, 770 VERNON AVENUE  
**MONDAY, APRIL 20, 2015 AT 7:00 PM**

Present: **Chair:** Mayor Atwell  
**Council:** Councillors Brice, Derman, Haynes, Murdock, Plant, Sanders and Wergeland  
**Staff:** Carrie MacPhee, Director of Legislative Services; Sharon Hvozdzanski, Director of Planning; Harley Machielse, Director of Engineering; Donna Dupas, Legislative Manager; and Lynn Merry, Senior Committee Clerk

Minutes **ADOPTION OF MINUTES**

**MOVED by Councillor Derman and Seconded by Councillor Wergeland:  
“That Council adopt the minutes of the April 13, 2015 Council and  
Committee of the Whole meetings.”**

**CARRIED**

5370-30  
Tender 02/15

**PUBLIC INPUT**

R. Wickson, President, Gorge Tillicum Community Associated, stated:

- The construction of the Austin Pump Station will disrupt the Canada Day picnic held on the Gorge Waterway and displace core events.
- It would be appreciated if construction would not be started until after the picnic.

**RESOLUTIONS FOR ADOPTION**

5370-30  
Tender 02/15

**TENDER 02/15 – CONSTRUCTION OF AUSTIN PUMP STATION**

Report of the Director of Engineering dated April 13, 2015 recommending Council award Tender 02/15 for the construction of the Austin Pump Station, and change orders within the project budget, to Trittech Group Ltd. in the amount of \$1,946,075 (excluding GST).

In response to questions from Council, the Director of Engineering stated:

- The tender did not specify the timing for the start of construction; restricting the start time for construction may have limited the contractors that were available to bid on this project.
- In discussion with the contractors, it was determined that after the tender is awarded, it may be up to 8-10 weeks before construction can begin.

**MOVED by Councillor Derman and Seconded by Councillor Wergeland:  
“That Tender 02/15 for the construction of the Austin Pump Station, and  
change orders within the project budget, be awarded to Trittech Group  
Ltd. in the amount of \$1,946,075 (excluding GST).”**

In response to questions from Council, the Director of Engineering stated:

- Formally requesting a delay in the start of the project may result in increased costs.
- Within the tender package, the contractor indicated 8-10 weeks lead time to start construction; since the tender hasn't been awarded, further discussions with the contractor have not taken place.
- Staging will be discussed with the contractor as it may also impact the Canada Day picnic; there is the hope that work will not take commence until after July 1, 2015.

In response to questions from Council, the Director of Legislative Services stated:

- Once the motion is passed, staff will act on the tender; it is not legally desirable to add conditions to a motion on a tender document.
- Staff will work with the successful bidder and discuss timelines to begin construction.

**The Motion was then Put and CARRIED**

Adjournment                    On a motion from Councillor Derman, the meeting adjourned at 7:19 pm.

The meeting reconvened at 7:58 pm.

**RECOMMENDATIONS**

*From the Committee of the Whole Meeting held April 20, 2015*

1310-40  
CRD Issues

**HOME HEATING OIL TANKS**

**MOVED by Councillor Murdock and Seconded by Councillor Haynes; "That the Capital Regional District Environmental Services be requested to organize a regional collaborative working session on home heating oil tanks to which representatives from the region's municipalities and the Province, mortgage lenders, insurance companies and oil company vendors would be invited."**

**CARRIED**

In Camera Motion            **MOVED by Councillor Haynes and Seconded by Councillor Sanders: "That in accordance with Section 90 (1) (e) and (k) of the *Community Charter*, the following meeting be closed to the public as the subject matters being considered relate to the disposition or expropriation of land or improvements; and negotiations and related discussions respecting the provision of a municipal service that are at their preliminary stages."**

**CARRIED**

Adjournment                    On a motion from Councillor Haynes, the meeting adjourned at 7:59 pm.

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MAYOR

I hereby certify these Minutes are accurate.

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MUNICIPAL CLERK

DISTRICT OF SAANICH  
MINUTES OF THE COMMITTEE OF THE WHOLE MEETING  
HELD IN THE COUNCIL CHAMBERS  
SAANICH MUNICIPAL HALL, 770 VERNON AVENUE  
**MONDAY, APRIL 20, 2015 AT 7:20 PM**

Present: **Chair:** Mayor Atwell  
**Council:** Councillors Brice, Derman, Haynes, Murdock, Plant, Sanders and Wergeland  
**Staff:** Carrie MacPhee, Director of Legislative Services; Sharon Hvozdzanski, Director of Planning; Harley Machielse, Director of Engineering; Donna Dupas, Legislative Manager; and Lynn Merry, Senior Committee Clerk

2860-35  
West Saanich  
Road

**5621 WEST SAANICH ROAD – FLOODPLAIN DEVELOPMENT PERMIT**

Report of the Director of Planning dated March 20, 2015 recommending that Council approve Floodplain Development Permit DPR00548; and that ratification of the Floodplain Development Permit be withheld pending registration of a covenant to require that the design and construction of any new dwelling on proposed Lot 2 conform to a minimum BUILT GREEN® Gold, EnerGuide 82, or equivalent energy efficiency standard, and that construction of the new dwelling include rough-in for future solar capabilities.

J. Reslein, owner, 5621 West Saanich Road, presented and stated:  
- The application complies with all of the relevant guidelines for the Floodplain Development Permit Area.

**PUBLIC INPUT:**  
Nil

**Motion:** **MOVED by Councillor Brice and Seconded by Councillor Wergeland: “That it be recommended that:**  
**1. Floodplain Development Permit DPR00548 be approved; and**  
**2. Ratification of Floodplain Development Permit DPR00548 be withheld pending registration of a covenant to require the following:**  
**a) That the design and construction of any new dwelling on proposed Lot 2 meet the BUILT GREEN® Gold, EnerGuide 82 or an equivalent energy efficiency standard; and**  
**b) That the new dwelling be constructed to include rough-in for future solar capabilities.”**

**CARRIED**

1310-40  
CRD Issues

### **HOME HEATING OIL TANKS**

Recommendation from the February 24, 2015 Environment and Natural Areas Advisory Committee that Council request that the CRD Environmental Services organize a regional collaborative working session on home heating oil tanks.

#### **PUBLIC INPUT:**

G. Edwards, Adelaide Avenue, stated:

- If Saanich allows underground storage tanks, they should be responsible for the breakdown or failure of the tanks; currently, the onus is on potential home buyers to find out if there are storage tanks on the property.
- No inventory of storage tanks exists; home owners are responsible for tanks on their properties, even if a scan of the property shows that there are no tanks.
- Scanning companies are not regulated.
- Ministry of the Environment policy states the polluter pays; if the home owners have no money, it is questionable whether cleanup will occur.

G. Dolinsky, Adelaide Avenue, stated:

- She is currently affected by an oil spill; three companies scanned the property and only one showed an underground storage tank.
- Tank scanning companies need to be regulated.
- She urges a combined effort through the Capital Regional District (CRD) and action should be taken quickly; a tank inventory and funding to assist home owners should be considered.
- Home oil vendors should be included in discussions.

R. Wickson, President, Gorge Tillicum Community Association (GTCA), stated:

- Residents do not know how to check their tanks to ensure they are safe.
- Home oil companies should be responsible for inspecting oil tanks annually and ensuring they are viable; the GTCA worked with the University of Victoria (UVic) Environmental Law Clinic and prepared a report entitled "Preventing Home Heating Oil Spills in British Columbia" with recommendations for reform.

Councillor Murdock stated:

- Saanich has limited jurisdiction over spill response but can play an active role in dealing with failed oil tanks; failed oil tanks have a dramatic impact on the environment and on home owners.
- Home owner insurance does not cover a failed oil tank.
- The Environment and Natural Areas Advisory Committee (ENA) felt the best course of action was to work together with regional partners, the Province, mortgage lenders, insurance companies and home heating oil vendors to build an inventory of locations of oil tanks and address gaps in legislation.
- A collaborative session could discuss creation of a fund to support home owners, inspection of tanks similar to the inspection of propane tanks and best practices.
- CRD Environmental Services has confirmed that they will be hosting a workshop and will be inviting municipalities and the Province to participate; the CRD should be encouraged to expand the scope to include oil companies, mortgage lenders and insurance companies to address liability issues.

**MOVED by Councillor Murdock and Seconded by Councillor Derman; “That it be recommended that the Capital Regional District Environmental Services be requested to organize a regional collaborative working session on home heating oil tanks to which representatives from the region’s municipalities and the Province, mortgage lenders, insurance companies and oil company vendors would be invited.”**

Councillor Derman stated:

- The interpretations of the courts in relation to liability does not make sense; it is time for all levels of government to work together to come up with a solution.
- A policy similar to the policy for propane tanks should be considered for oil tanks.

Councillor Sanders stated:

- She is pleased to support the motion; a collaborative approach with the CRD is the proper approach to take.
- It is important that home owners know where tanks are located and how to service their tanks.

Councillor Wergeland stated:

- He appreciates the motion being brought forward; prospective home buyers need to do their due diligence in relation to whether or not there are oil tanks on the property.
- Home owners should also be concerned about the possibility of contamination of soil around oil tanks.

Councillor Haynes stated:

- There needs to be a mechanism to allow oil companies to share records of the locations of oil tanks.

Councillor Plant stated:

- The report of the UVic Environmental Law Clinic should be considered at CRD discussions; if the rest of the region does not want to proceed, Saanich should proceed on its own.

Councillor Murdock stated:

- There may be proprietary concerns for oil companies to share information of homes that use oil; the Province may be able to play a more authoritative role in ensuring these records are shared.
- As part of discussions, development of inspection regulations in relation to oil tanks should be considered.
- A process for regulating scanning companies could also be considered.

Mayor Atwell stated:

- He hopes that this mechanism will allow regulatory support to municipalities as there are limits to what municipalities can do.
- Relief for home owners should also be considered.

**The Motion was then Put and CARRIED**

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Adjournment      On a motion from Councillor Derman, the meeting adjourned at 7:46 pm.

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CHAIR

I hereby certify these Minutes are accurate

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MUNICIPAL CLERK