

DISTRICT OF SAANICH
MINUTES OF THE COUNCIL MEETING
HELD IN THE COUNCIL CHAMBERS
SAANICH MUNICIPAL HALL, 770 VERNON AVENUE
MONDAY, OCTOBER 26, 2015 AT 7:00 PM

Present: **Chair:** Mayor Atwell
Council: Councillors Brice, Brownoff, Derman, Haynes, Murdock, Plant, Sanders and Wergeland
Staff: Andy Laidlaw, Chief Administrative Officer; Valla Tinney, Director of Finance, Sharon Hvozdanski, Director of Planning; Harley Machielse, Director of Engineering; Laura Ciarniello, Director of Corporate Services, Donna Dupas, Legislative Manager; and Lynn Merry, Senior Committee Clerk

PUBLIC HEARING

2870-30
Clovelly
Terrace

“ZONING BYLAW, 2003, AMENDMENT BYLAW, 2015, NO. 9351”

PROPOSED REZONING FOR A TWO LOT RESIDENTIAL SUBDIVISION ON CLOVELLY TERRACE

To rezone a portion of Lot T, Section 62, Victoria District, Plan 4808 (1167 Clovelly Terrace) from RS-6 (Single Family Dwelling – minimum lot size – 560m²) zone to RS-4 (Single Family Dwelling – minimum lot size – 460m²) zone for the purpose of subdivision to create one additional lot for single family dwelling use. A **COVENANT** will also be considered to further regulate the use of the lands and the buildings.

The Clerk introduced the following:

- Notice of Public Hearing;
- Report of the Director of Planning dated July 29, 2015 and Supplemental Report of the Director of Planning dated September 14, 2015, recommending that:
 - The application to rezone from RS-6 (Single Family Dwelling) zone to RS-6 and RS-4 (Single Family Dwelling) zones be approved;
 - The application for Development Variance Permit DVP00362 to vary the lot depth requirement, and the front and rear setbacks for proposed Lots 1 and 2 be approved;
 - Final Reading of the Zoning Amendment Bylaw and ratification of Development Variance Permit DVP00362 be withheld pending security bonding in the amount of \$3,560.25 (\$1,186.75 x 3) for the planting of three trees near the front lot line of proposed Lot 2 in lieu of providing Schedule I Boulevard trees;
 - Final Reading of the Zoning Amendment Bylaw and ratification of the Development Variance Permit DVP00362 be withheld pending registration of a covenant requiring that:
 - the design and construction of any dwelling on proposed Lot 2 conform to a minimum BUILT GREEN® Gold or equivalent energy efficiency standard;
 - any new dwelling on proposed Lot 2 include the necessary conduits to be solar ready for future installation of photovoltaic or solar hot water systems;
 - that any dwelling on proposed Lot 2 be restricted from having a secondary suite;
 - that the new dwelling for proposed Lot 2 be constructed substantially in compliance with the plans prepared by Victoria Design Group date stamped April 16, 2015; and

- the landscaping for proposed Lot 2 be substantially in compliance with the plans prepared by DE Landscape Solutions date stamped April 16, 2015 with the exception that where Dawyckii Purple Beech trees are indicated on the Landscape Layout evergreen species will be planted.
- One letter from the Quadra Cedar Hill Community Association dated January 31, 2015; and
- 13 letters from residents.

APPLICANT:

T. Globman, Clovelly Terrace, presented to Council and highlighted:

- This is sensitive infill and is respectful to the neighbourhood; the existing home fronting onto Clovelly Terrace would be retained.
- The existing hedge would be removed to allow for road dedication; evergreens would be planted adjacent to the new front lot line.
- Consultation took place with neighbours and the Quadra Cedar Hill Community Association; vehicle access for both properties would be from the existing driveway and would be secured through an access easement.
- A limited number of windows for the proposed new dwelling would face onto neighbours' property to ensure privacy.
- Secondary suites will be restricted by covenant; variances are required due in part to the retention of the existing dwelling and the road dedication required on both street frontages.
- Storm water will be managed through the use of storage tanks; there is a commitment to BUILT GREEN® Gold or equivalent energy efficiency standard.

PUBLIC INPUT:

J. Schmuck, President, Quadra Cedar Hill Community Association, stated:

- The Community Association is pleased with the commitment to solar ready conduits and the storm water management plan; they are confident that traffic concerns will be addressed.
- This is a good transition to the village centre; further improvements are needed at the village centre including an increase in services.

COUNCIL DELIBERATIONS:

Motion:

- MOVED by Councillor Haynes and Seconded by Councillor Wergeland: "That:**
- 1. The application to rezone from RS-6 (Single Family Dwelling) zone to RS-6 and RS-4 (Single Family Dwelling) zones be approved;**
 - 2. Final Reading of the Zoning Amendment Bylaw and ratification of Development Variance Permit DVP00362 be withheld pending security bonding in the amount of \$3,560.25 (\$1,186.75 x 3) for the planting of three trees near the front lot line of proposed Lot 2 in lieu of providing Schedule I Boulevard trees;**
 - 3. Final Reading of the Zoning Amendment Bylaw and ratification of the Development Variance Permit DVP00362 be withheld pending registration of a covenant requiring that:**
 - a) the design and construction of any dwelling on proposed Lot 2 conform to a minimum BUILT GREEN® Gold or equivalent energy efficiency standard;**

- b) any new dwelling on proposed Lot 2 include the necessary conduits to be solar ready for future installation of photovoltaic or solar hot water systems;
- c) that any dwelling on proposed Lot 2 be restricted from having a secondary suite;
- d) that the new dwelling for proposed Lot 2 be constructed substantially in compliance with the plans prepared by Victoria Design Group date stamped April 16, 2015; and
- e) that the landscaping for proposed Lot 2 be substantially in compliance with the plans prepared by DE Landscape Solutions date stamped April 16, 2015 with the exception that where Dawyckii Purple Beech trees are indicated on the Landscape Layout evergreen species will be planted.”

Councillor Haynes stated:

- This is sensitive infill and the proposed dwelling is an attractive design.
- More services are needed to revitalize the village centre.
- The Community Association supports the application.

Councillor Derman stated:

- This is a good location for infill; it is close to services and the village centre.
- Speeding may increase due to the widening of Cobb Lane; traffic calming measure could be considered to moderate traffic.

Councillor Sanders stated:

- This is sensitive infill and is consistent with the goals of the Official Community Plan and the Quadra Local Area Plan.
- She appreciates the commitment to prohibiting secondary suites and planting evergreen trees adjacent to the new front lot line.
- The garage entrance on the side of the lot is appreciated.

The Motion was then Put and CARRIED

2870-30
Clovelly
Terrace

“ZONING BYLAW, 2003, AMENDMENT BYLAW, 2015, NO. 9351”
Second and Third Readings

MOVED by Councillor Derman and Seconded by Councillor Brice: “That Bylaw No. 9351 be read a second time.”

CARRIED

MOVED by Councillor Derman and Seconded by Councillor Brice: “That Bylaw No. 9351 be now passed.”

CARRIED

MOVED by Councillor Haynes and Seconded by Councillor Wergeland: “That it be recommended that Council approve and issue Development Variance Permit DVP00362 on Lot T, Section 62, Victoria District, Plan 4808 (1167 Clovelly Terrace).”

CARRIED

DELEGATION

1410-02
Delegation

DAVID POJE

Subject: Parking Ban on Glendenning Road.

Xref: 1220-
20
Parking Ban
on
Glendenning
Road

Mr. Poje presented to Council on the imposition of a parking ban on Glendenning Road at the south entrance to Mount Douglas Park. He requested that Council look at alternatives to the parking ban and provide an opportunity for public consultation on the matter.

MOVED by Councillor Plant and Seconded by Councillor Wergeland: “That staff provide a report to Council, for discussion at a future meeting, with options for parking at Mount Douglas Park with an emphasis on solutions to parking issues on Glendenning Road and Cedar Hill Road.”

Councillor Plant stated:

- He supports the motion; more information from staff would be helpful; the report from staff should include feedback from residents and Mr. Poje.

Councillor Derman stated:

- Prior to asking staff to prepare a report, it may be prudent to discuss the item at a future Council meeting; that would give the public the opportunity to provide input and give further direction to staff on what should be included in the report.

Mayor Atwell stated:

- Although it is not normal practice to put motions forward in relation to a delegation, given the interest in the issue, it may be appropriate to move forward with asking staff to prepare a report.

Councillor Derman stated:

- It would be preferable to have public input before asking staff to prepare a report.

In response to a question from Council, the Chief Administrative Officer stated:

- Staff can provide a report if that is the wish of Council; it would also be appropriate if Council wishes to postpone the report and discuss the item further at a future Council meeting.

Councillor Haynes stated:

- Mount Douglas Park is popular and is visited by a great deal of people; there are other access points to the park which could be included as part of the report.
- The integrity of Glendenning Road should be protected.
- Moving ahead now and asking for a report from staff, before it comes to a Council meeting, is appropriate.

Councillor Murdock stated:

- The public should have an opportunity to provide feedback; staff could provide information and include the supporting rationale behind the parking ban and the implications of parking for access to Mount Douglas Park.

Councillor Brownoff stated:

- She is concerned that a motion is being made in relation to a delegation; this has not been regular practice for the delegation process.
- Other residents have not been given the opportunity to provide input on the matter.

Mayor Atwell stated:

- The Council Procedures Bylaw was amended and delegations were added as a pilot project; there is a need for sound justification to the public for decision-making and early notification and opportunities for the public to provide input are given.
- Delaying the process does not serve the public well.

Councillor Sanders stated:

- Delegations are presentations to Council and no action is to be taken; preparing staff reports is not part of the delegation process.
- Referring to a future Council meeting would allow staff time to prepare a report and give the public the opportunity to provide feedback.

Councillor Wergeland stated:

- Delegations are not the time for debate; bringing the item back to Council at a future meeting would be appropriate.

Councillor Derman stated:

- Delegations are for information purposes only; it is not appropriate to change the process at this point.
- Addressing the item at a future Council meeting will ensure that it is advertised appropriately and that the public is given the opportunity to provide feedback.

Councillor Brice stated:

- It is unclear, at this time, what information staff would include in the report.

Councillor Plant stated:

- The report could include options for parking and input from Mr. Poje and Community Associations.
- It would not be an extensive report; it would be a quick way to move forward for future debate.

Councillor Brice stated:

- The residents of Glendenning Road should be included in consultation.

In response to questions from Council, the Chief Administrative Officer stated:

- It was his understanding that the report would include the options available in terms of potential parking locations and access to Mount Douglas Park; including public consultation as part of the report will take considerable time.

MOVED by Councillor Murdock and Seconded by Councillor Derman: "That the item be referred to a future Council meeting."

Councillor Haynes stated:

- Collecting more information will ensure a better outcome.

Councillor Plant stated:

- He does not support referral; referring will result in the same outcome.

In response to a question from Council, the Legislative Manager stated:

- The Council Procedures Bylaw states that a Council member may ask questions of the delegation to clarify or correct information but must not enter into debate with the delegation on the item which is subject of the delegation.

Councillor Plant stated:

- Motions have been made in the past in relation to delegations.
- It may be appropriate to review the Council Procedures Bylaw for clarification.

Mayor Atwell stated:

- He does not support referral; the public is interested in finding a solution.

Councillor Brice stated:

- Referring the item to a future meeting gives the public the opportunity to provide feedback; staff can then be directed to provide a report based on the feedback received.

**The Motion was then Put and CARRIED
with Mayor Atwell and Councillors Haynes and Plant OPPOSED**

Minutes

ADOPTION OF MINUTES

MOVED by Councillor Plant and Seconded by Councillor Brice: “That Council adopt the minutes of the October 6 and October 14 Special Council meetings and the October 19, 2015 Council and Committee of the Whole meetings.”

CARRIED

PUBLIC INPUT ON COUNCIL AGENDA ITEMS

Public Input
on Council
Agenda
Items

1420-30
Healthy
Saanich
Advisory
Committee

E. Goldberg, Roy Road, stated:

Healthy Saanich Advisory Committee – Creation of a Sub-Committee:

- The creation of a LGBTQ (Lesbian, Gay, Bi-sexual, Trans-gender and Queer) sub-committee is supportable; it is important to provide a safe, secure, inclusive and engaged community.
- Issues of poverty and homelessness need to be addressed; the LGBTQ community is in crisis in relation to health issues and the lack of accessible services.
- Creating a sub-committee is a small step in the right direction.

A. Clodge, Glenora Place, stated:

Healthy Saanich Advisory Committee – Creation of a Sub-Committee:

- A sub-committee is a basic but important step in ensuring the community is supportive and inclusive; the discrimination and violence the LGBTQ community faces is unacceptable.
- A sub-committee will help to ensure Saanich is healthier and more liveable; it is essential that the LGBTQ community is heard.

C. Demone, stated:

Healthy Saanich Advisory Committee – Creation of a Sub-Committee:

- It is important that the LGBTQ community has a safe space to voice concerns and should be considered when policies and procedures are being created.
- Creating a sub-committee should not be considered as catering to a special interest group; the LGBTQ community have unique health and safety concerns.

1410-04

Report of
the Director
of Finance

L. Layne, San Lorenzo Avenue, stated:

Designing Public Consultation on the Financial Plan:

- Advertising in the Saanich News could be considered as way to solicit feedback on the Financial Plan; the municipal website could be used to vote or gather comments on issues.

5280-20

Xref:
Financial
Plan

H. House, stated:

Healthy Saanich Advisory Committee – Creation of a Sub-Committee:

- Homelessness, addiction and mental illness in the LGBTQ community is compounded by the lack of services available; youths and young adults need opportunities to help improve their lives.

R. Clayton, Maltwood Terrace, stated:

Healthy Saanich Advisory Committee – Creation of a Sub-Committee:

- We do not want to be in the position of responding to people dying on the street because of who they are; Council is encouraged to reach out to the LGBTQ community and ask what they need.

L. McFarland, Springridge Crescent, stated:

Healthy Saanich Advisory Committee – Creation of a Sub-Committee:

- There are laws that protect the LGBTQ community at the Federal level; creating a sub-committee will give the people a voice at the municipal level.

S. Doty, PFLAG, Victoria Charter, stated:

Healthy Saanich Advisory Committee – Creation of a Sub-Committee:

- PFLAG helps families understand and accept their non-heterosexual children; the ability to use Recreational Centres and access to accessible change rooms needs to be addressed.
- To be a healthy Saanich, the needs of the residents should be considered; Saanich need to ensure that each individual has safe, diverse and inclusive community spaces where social interaction, physical activity, sense of place and neighbourliness are actively promoted and supported.

1410-04

Report of
the CAO

J. Schmuck, President, Quadra Cedar Hill Community Association:

Draft 2015-2018 Strategic Plan:

- The Community Association provided 14 points to be considered in the Plan; the Association wonders how many suggestions were received, how were the suggestions evaluated and how many suggestions were accepted and included in the Plan.

Xref: 1970-
40
Strategic
Plan

1220-20

Zoning
Bylaw
Amendment
– Prohibition
of Float
Homes or
Other
Floating
Vessels

M. Beauchamp, member of the Healthy Saanich Advisory Committee, stated:
Healthy Saanich Advisory Committee – Creation of a Sub-Committee:

- The mandate of the Healthy Saanich Advisory Committee is to promote diversity and multiculturalism; members of the public are mostly in favour of the creation of a sub-committee.
- Dialogue with the LGBTQ community will ensure that their needs are heard; having a trial period will give Saanich the opportunity to evaluate whether there is a sustained interest and if the process is useful and worth continuing.

S. Karpes, Vice President, Gorge Tillicum Community Association, stated:
Zoning Bylaw Amendment – Prohibition of Float Homes or Other Floating Vessels:

- The Community Association requests that Saanich find a solution for the removal of a boat washed up on the shore of the Gorge.

R. Wickson, President, Gorge Tillicum Community Association, stated:
Zoning Bylaw Amendment – Prohibition of Float Homes or Other Floating Vessels:

- The Community Association sent a request to the municipality to deal with the boat washed up on the shore of the Gorge; no response has been received.
- A bylaw amendment is appropriate if it strengthens the ability for enforcement; the boat needs to be removed.

B. Williamson, Eldon Place, stated:

Healthy Saanich Advisory Committee – Creation of a Sub-Committee:

- If there is objection to forming a sub-committee because the perception is that the LGBTQ community is a special interest group, and there are other groups that are underserved, those groups should also come forward.

K. Whitcroft, Inverness Road, stated:

Designing Public Consultation on the Financial Plan & Draft 2015-2018 Strategic Plan:

- The costs identified to design a public consultation process for the Financial Plan are large; he wonders if those costs will be recouped.
- If the watersheds are to be drained, they cannot be restored; the Drainage Master Plan should consider the creation of creeks and watersheds.

RESOLUTIONS FOR ADOPTION

1410-04

Report of
the Director
of
Engineering

RFP 15/15 – ELECTRIC VEHICLES

Report of the Director of Engineering dated October 14, 2015 recommending that Council award RFP 15/15 for electric vehicles to Suburban Motors for an estimated \$120,000 (excluding taxes) for 2015 and up to an estimated \$400,000 for future years up to 2019 at the discretion of the District.

Xref: 5370-30
RFP 15/15

MOVED by Councillor Plant and Seconded by Councillor Brice: “That RFP 15/15 for the purchase of electric vehicles be awarded to Suburban Motors for an estimated \$120,000 (excluding taxes) for 2015, and up to an estimated \$400,000 for future years up to 2019 at the discretion of the District.”

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

- The funds allocated for future purchases up to 2019 would give the municipality the option to purchase additional electric vehicles.
- Saanich worked with the Greater Victoria Joint Purchasing Group (GVJPG) to leverage the best price for the vehicles; cost savings were realized.
- The types of vehicles purchased can be re-evaluated for future years.
- There are sufficient charge stations at the Hall to accommodate future purchases.

Councillor Derman stated:

- Technology is constantly changing and there may be more advanced vehicles available next year; in future years, it may be appropriate to consider more advanced vehicles.

Councillor Brice stated:

- She compliments the GVJPG for their work and appreciates the cost savings.

The Motion was then Put and CARRIED

1410-04
Report of
Mayor
Atwell

FIREFIGHTING MUTUAL AID AGREEMENT

Report of Mayor Atwell dated October 21, 2015 recommending that staff be directed to work collaboratively to develop a Project Charter and Terms of Reference for the four communities to develop a new core Fire Services Agreement between the District of Saanich, Township of Esquimalt, City of Victoria and District of Oak Bay. The report of the Fire Chief dated October 13, 2015 regarding the Firefighting Mutual Aid Agreement Bylaw, 1980, No. 4555 is also attached.

Xref: 1050-20
Firefighting
Mutual Aid
Agreement

MOVED by Councillor Derman and Seconded by Councillor Brice: “That Council direct staff to work collaboratively with the Township of Esquimalt, the City of Victoria and the District of Oak Bay to create a Project Charter and Terms of Reference; and to develop a new core Fire Services Agreement between the four communities.”

Councillor Derman stated:

- The Mayor and Fire Chiefs are to be commended; the integration of services will potentially provide better services to residents and may reduce costs.

Councillor Brice stated:

- The Mayor is to be commended; this is a great concept towards working together for the greater good.

The Motion was then Put and CARRIED

1410-04
Report of
the Director
of Finance

DESIGNING PUBLIC CONSULTATION ON THE FINANCIAL PLAN

Report of the Director of Finance dated October 19, 2015 recommending that Council approve a single source award to Dialogue Partners to design a meaningful community engagement process for the Financial Plan based on Option A, B or C, as outlined in the report; and that Council approve a one-time resource request for the funding required in the 2016 Financial Plan.

5280-20
Xref:
Financial
Plan

Councillor Brice stated:

- The Governance Review committee may consider a public consultation process for the Financial Plan as part of their review, therefore, it may not be necessary to invest money this year to design a process.

Councillor Haynes stated:

- Public input on the Financial Plan may be included as part of the Governance Review; there may be alternative methods of getting feedback in the short term, such as through a Town Hall meeting.

Councillor Derman stated:

- It is necessary to educate the public on the services and priorities of the municipality and give them the opportunity to provide feedback; the Governance Review may consider the public consultation process.

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

- The options provided in the report are to assist Council in developing a consultation process for the 2017 Financial Plan; the 2016 Financial Plan process is currently underway.
- The options are designed to find out from the community how they wish to be engaged in the process.

Councillor Derman stated:

- It may be appropriate to refer the issue to Saanich Community Association Network (SCAN) for intermediate input while the Governance Review committee reviews the consultation process.

MOVED by Councillor Derman and Seconded by Councillor Wergeland: “That Council approve a single source award to Dialogue Partners to design a meaningful community engagement process for the Financial Plan based on option 1(a) – gathering some quick basic input from those who easily self-select to participate, at a cost of \$26,700”, as outlined in the report of the Director of Finance dated October 19, 2015.

Councillor Wergeland stated:

- There are major budgetary items coming forward over the next years and an ambitious Governance Review that will be reviewing processes.

Mayor Atwell stated:

- It may be appropriate to ask SCAN and Community Associations how they wish to provide input into the Financial Plan.

In response to a question from Council, the Director of Finance stated:

- The 2016 budget process is currently underway; the public consultation process would begin in the Spring of 2016 for the 2017 budget process.

Councillor Brownoff stated:

- All Community Associations should be solicited for feedback into how they wish to provide input into the Financial Plan; it is not appropriate to spend a lot of money now when the Governance Review committee may be reviewing the public consultation process.

Councillor Plant stated:

- Community Associations should have the opportunity to provide feedback into how they wish to give input into the Financial Plan.

Councillor Haynes stated:

- Input from all individuals should be welcomed.

Councillor Murdock stated:

- SCAN and Community Associations already provide input into the Financial Plan; other interested individuals should also be permitted to provide input.
- It is unknown if the scope of work for the Governance Review will include public consultation on the Financial Plan.
- He would support option 1(b) which includes having other interested individuals provide input into the design process.

Councillor Derman stated:

- Public consultation will begin in the Spring of 2016; the options outline approaches to design the process of consultation; recommendations from these options may not be ready by the Spring.
- It may be more timely to ask SCAN and Community Associations for recommendations on how input could be incorporated into the process.

**The Motion was then Put and DEFEATED
with all OPPOSED**

MOVED by Councillor Derman and Seconded by Councillor Haynes: "That Council direct staff to request the Saanich Community Advisory Committee (SCAN) to provide feedback on increasing public involvement in the Financial Plan process, and that SCAN be further requested to obtain broad input from Community Associations and other interest groups."

Councillor Murdock stated:

- He does not support the motion; a longer term solution for engaging residents effectively should be explored.

Councillor Plant stated:

- The Chamber of Commerce could be included as an interest group to provide input into the process.

Councillor Haynes stated:

- He wonders if SCAN and the Community Associations will have the time and interest in providing feedback and how other stakeholders will be involved; the Finance, Audit and Personnel Standing Committee may be able to recommend other individuals who may wish to provide input.

Councillor Derman stated:

- Staff could decide to advertise for interested parties through the Saanich News.

Councillor Sanders stated:

- She does not support the motion; consideration of one of the options in the report would be preferable.

Councillor Wergeland stated:

- It is important to open the process to get feedback.

Councillor Brownoff stated:

- There are other groups that should be considered for input; the website could be used to get residents to respond to a questionnaire or suggestions on incorporating feedback into the Financial Plan process.

Councillor Brice stated:

- SCAN could determine which groups and organizations would be included to provide recommendations on the process.

The Motion was then Put and CARRIED with Councillor Murdock and Sanders OPPOSED

1410-04
Report of
the CAO

DRAFT 2015-2018 STRATEGIC PLAN

Report of the Chief Administrative Office dated October 19, 2015 recommending that Council approve the revisions to the draft 2015-2018 Strategic Plan as outlined in the report; and that Council adopt the revised 2015-2018 Strategic Plan.

Xref: 1970-
40
Strategic
Plan

MOVED by Councillor Haynes and Seconded by Councillor Brice: "That:

- 1. Council approve the revisions to the draft 2015-2018 Strategic Plan as outlined in the report of the Chief Administrative Officer dated October 19, 2015; and**
- 2. Council adopt the revised 2015-2018 Strategic Plan."**

Councillor Derman stated:

- He thanks staff for the work done on the Strategic Plan.
- The Governance Review may make recommendations on improvements to the Plan in the future.

Councillor Wergeland stated:

- He wonders if justification is needed for the increase in kilometres of new bike lanes and sidewalks.

In response to a question from Council, the Chief Administrative Officer stated:

- A number of suggestions and changes received were incorporated into the Plan and a number of comments will be forwarded to Council for consideration in the 2016 Strategic Plan.
- The groups that provided input were advised accordingly.
- A shorter version of the Plan is available and will be posted on the website and available in print form.

The Motion was then Put and CARRIED

 The Directors of Engineering, Finance and Corporate Services left the meeting at 9:50 pm.

1220-20
Zoning
Bylaw
Amendment
– Prohibition
of Float
Homes or
Other
Floating
Vessels

ZONING BYLAW AMENDMENT – PROHIBITION OF FLOAT HOMES OR OTHER FLOATING VESSELS

Report of the Director of Planning dated October 21, 2015 recommending that Council amend Zoning Bylaw 8200 by adding a new Section 1001.2 Prohibited Uses, as outlined in the report.

MOVED by Councillor Haynes and Seconded by Councillor Wergeland: “That a Public Hearing be called to further consider the amendment to Zoning Bylaw 8200: the addition of a new Section 1001.2 to Schedule 1001 as follows and renumbering the subsequent sections accordingly:

1001.2 Prohibited Uses

Prohibited Uses:

All uses not permitted by Section 1001.1 and without limiting the generality of the foregoing:

- a) The use of a float home or other floating vessel as a residence.***
- b) The anchoring or moorage of any vessel for a continuous period exceeding 72 hours.”***

In response to questions from Council, the Chief Administrative Officer stated:

- In relation to the boat washed up on the shore of the Gorge, the Ministry of the Environment was contacted and advised that if there was no oil spill, it is not their responsibility.
- Transport Canada was consulted and if a wreck is claimed, there is an elaborate process which would take considerable time.
- The City of Victoria was also consulted on the issue.
- In respect to derelict boats, the municipality does not have the authority to remove the boat without putting the District of Saanich in violation of Federal regulations.
- It is preferable to find the owner and have them remove the boat.
- Failing that, the municipality could apply to Transport Canada to take ownership of the wreck to have it moved.

Councillor Derman stated:

- He supports the motion; it is a step forward in strengthening the jurisdictional authority.

In response to questions from Council, the Chief Administrative Officer stated:

- The change to the bylaw will not affect the ability of Saanich to remove the boat currently washed up on the shore of the Gorge; this is a minor change to an existing bylaw which prohibits residency on float homes within 300 metres of Saanich.
- Under the Canada Shipping Act, you cannot prohibit a boat from anchoring; it has been determined that if you provide a reasonable time period for anchoring or mooring a boat, you can enforce it through the Zoning Bylaw; 72 hours has been deemed as reasonable.
- The only way to remove the derelict boat in the Gorge is through the application process to Transport Canada.

Councillor Haynes stated:

- Municipal bylaws cannot override Transport Canada regulations; there are multi-jurisdictional issues involved.
- It would be preferable to contact the owner and ask him to remove the boat.

The Motion was then Put and CARRIED

Mayor Atwell stated:

- There is a need to go beyond the authority of the municipality to look at options and assistance for the removal of derelict boats.

MOVED by Councillor Derman and Seconded by Councillor Wergeland: “That Council send a letter to Association of Vancouver Island Coastal Communities (AVICC) expressing the concern of the inability of municipalities to deal with derelict boats; and that letters be sent to the Government of Canada, local MP’s and to our local MLA’s outlining these same concerns.”

Councillor Haynes stated:

- Consideration could be given to having the Gorge designated as a dedicated alley of navigation; navigation supersedes anchoring; therefore, the boat could be removed.

In response to questions from Council, the Chief Administrative Officer stated:

- The regulations for navigation fall under the Canada Shipping Act; the Province is responsible for the Crown foreshore.
- Local governments have Zoning Bylaws to deal with live aboards.
- If a boat runs aground and is leaking oil, it is the responsibility of the Ministry of the Environment.

The Motion was then Put and CARRIED

In response to questions from Council, the Chief Administrative Officer stated:

- If a boat was derelict in a navigable alley, it would be removed by the Coast Guard; currently the Gorge is not deemed a navigable alley.
- Under the Navigation Protection Act, if a boat is washed up on shore in a scheduled waterway, which the Gorge is, Transport Canada may authorize a person to remove the vessel after the registered owner is given 30 days’ notice.

MOVED by Councillor Haynes and Seconded by Councillor Plant: “That Council request staff send correspondence to Transport Canada to initiate the process to remove the boat currently washed ashore in the Gorge.”

Councillor Haynes stated:

- It would be preferable to contact the owner and ask him to remove the boat.

In response to a question from Council, the Chief Administrative Officer, stated:

- The estimated costs to remove the boat is unknown.

Councillor Brice stated:

- It is important to start the process for removal of the boat; the owner may be enticed to remove the boat if there is any value in it.

In response to a question from Council, the Chief Administrative Officer stated:

- If the municipality is awarded ownership of the boat, it will be responsible for the costs incurred to remove it.

Councillor Derman stated:

- There could be unforeseen and substantial costs associated with gaining ownership of the boat.

In response to a question from Council, the Chief Administrative Officer stated:

- A cost estimate for removal of the boat could be sought prior to making application or concurrently.

Councillor Derman stated:

- He would not support the motion until the cost estimate for removal is received.

Councillor Brice stated:

- The owner should be contacted to let them know that Saanich is initiating the process to gain ownership of the boat.

In response to a question from Council, the Chief Administrative Officer stated:

- Steps will be taken to contact the owner; if the owner cannot be identified, steps will be taken to apply for ownership.

The Motion was then Put and CARRIED

MOVED by Councillor Derman and Seconded by Councillor Wergeland: “That Council request the Chief Administrative Officer obtain a cost estimate for the removal of the boat prior to initiating the process for removing the boat.”

The Motion was CARRIED

RECOMMENDATIONS FROM COMMITTEES

1420-30
Healthy
Saanich
Advisory
Committee

HEALTHY SAANICH ADVISORY COMMITTEE – CREATION OF A SUB-COMMITTEE

Recommendation from the September 15, 2015 Healthy Saanich Advisory Committee meeting that Council consider forming a LGBTQ (Lesbian, Gay, Bi-sexual, Trans-gender and Queer) sub-committee to the Healthy Saanich Advisory Committee for a one-year trial.

MOVED by Councillor Plant and Seconded by Councillor Haynes: “That:

- 1. Council approve the creation of a LGBTQ (Lesbian, Gay, Bi-sexual, Trans-gender and Queer) sub-committee under the Healthy Saanich Advisory Committee with members who are not currently on the Healthy Saanich Advisory Committee;**
- 2. Committee appointments be selected by the Healthy Saanich Advisory Committee; and**

3. Council authorizes the expense of providing clerical support and refreshments for the meetings.”

Councillor Plant stated:

- The creation of the sub-committee will allow input to be solicited in relation to LGBTQ issues.

Councillor Haynes stated:

- He thanks Councillor Plant for bringing this item forward and commends the members of the public who spoke tonight.
- This sub-committee would help enrich lives and the community and may even save a life.

Councillor Brice stated:

- She is pleased to support the motion and thanks Councillor Plant for bringing the item forward.
- There are already opportunities available for the LGBTQ community at Saanich Recreation Centres; Saanich staff embrace inclusion.
- Policies are needed that contain a message of inclusion; this is a good fit for Saanich.

Councillor Derman stated:

- The experiences detailed by the speakers were moving; there is no rationalization for discrimination.
- This is an opportunity for the municipality to establish procedures and policies with input from the sub-committee.

Councillor Wergeland stated:

- He thanks the members of the public for sharing their experiences; he supports the creation of the sub-committee.

Councillor Plant stated:

- The Healthy Saanich Advisory Committee has reviewed the Terms of Reference for the sub-committee; the sub-committee will also review the Terms of Reference and confirm that the objectives are satisfactory.

Councillor Brownoff stated:

- She supports the creation of a sub-committee; Saanich is an inclusive community.
- The sub-committee needs to do work that results in policies.

Councillor Murdock stated:

- He supports the motion and thanks the members of the public who spoke tonight.
- It is important to remove barriers to services and provide access to health for all residents.

Councillor Haynes stated:

- There is an ongoing need for work on LGBTQ issues.

Councillor Sanders stated:

- She supports the creation of the sub-committee; it could identify gaps in services and successes.

Mayor Atwell stated:

- The creation of the sub-committee is supportable and he thanks Councillor Plant for bringing the item forward; it is a way to improve quality of life and make Saanich and the world a better place to live.

The Motion was then Put and CARRIED

2860-20
Cook Street

3481 COOK STREET – DEVELOPMENT PERMIT AMENDMENT APPLICATION

Ratification of Development Permit Amendment DPA00832 for proposed expansion and renovation of an existing commercial building to accommodate a chiropractic clinic.

MOVED by Councillor Derman and Seconded by Councillor Wergeland: “That Council approve and issue Development Permit Amendment DPA00832 on Amended Lot B (DD 119591I), Section 62, Victoria District, Plan 4808, Except Part in Plan 14229 (3481 Cook Street).”

CARRIED

Adjournment On a motion from Councillor Brice, the meeting adjourned at 10:55 pm.

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MAYOR

I hereby certify these Minutes are accurate.

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MUNICIPAL CLERK